AN EXACT

Abridgment

OF ALL

STATUTES

In *Force* and *Use*.

From the beginning of

MAGNA CARTA,

Untill 1641.

By *EDM. WINGATE* of *Grayes-Inne*, Esq.

With a Continuation, under their proper Titles, of all ACTS in Force and Use, untill the Year, 1666. And Alphabetically Digested under apt Titles.

Whereto is annexed Four TABLES, directing to the several Matters and Clauses throughout the said Statutes.

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Cum gratia & Privilegio Regiæ Majestatis.

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OCT 5 1908

TO THE HONOURABLE Sir EDWARD TURNER Kt, SPEAKER of the COMMONS House of PARLIAMENT.

SIR,

HAving observed so many Learned *and worthy Persons, upon divers occasions, both in their Studies and Imployments, especially at the* Assizes *and* Sessions *of* Peace, *to make use of* Mr. Wingate's *Abridgment of the Statutes with good Approbation, I could not but think a little Pains might be well bestowed, in continuing the same* Method, *and adding to it the Statutes made in the time of His present Majesty, and inserting the same, especially such as are of publick and*

and daily uſe, under their proper Titles; *and ſeeing how eminent a Place and Part You have had in the Paſſing the ſame, it ſeemed to Me not improper, by this* Addreſs *under Your Name, to advertiſe ſuch others alſo, as may have occaſion to make uſe of this Book; That although for the moſt part You may find the Statutes, at the leaſt thoſe of frequent uſe, ſo fully abridged, that I hope You will not have often occaſion, to trouble Your Self with the* Books *at large, or to ſeek for ſuch as be diſperſed: Yet being but an* Abridgment, *continued of the late* Acts, *as of the other, when You ſhall doubt or find any thing obſcure, the unavoidable accident of* Brevity, *You would not rely on it, but have recourſe to the Statutes at large; ſome of which, to avoid the increaſing of the* Book *to too great a bulk, eſpecially ſuch as be but upon continuance, I have onely pointed at and referred to: And as to the late* Acts *paſſed at* Oxford, *being after the* Book *was almoſt finiſhed in the* Preſs, *they are added by way of* Appendix: *And ſuch Statutes*

as

as more particularly concern the Justices of the Peace, and Penal Laws, are marked with a Hand or Star.

And for the Table *being Mr.* Wingate's *own, I was unwilling to alter the Frame, but rather supply it with the Additional Heads and* Titles; *which though at first, it may seem somewhat general, yet by diligent observation, the Method and References, to particular Clauses under the several Heads, I hope it will answer the use and ease to the Peruser intended: Which is the Aim and Desire of*

SIR,

Your very affectionate

Friend and Servant,

T. M.

AN
Exact TABLE to the Abridgment of Statutes in force, comprehending not only the Title, but Substance thereof, and the year of the King in whose Reign it was made, and Chapter of each Statute, throughout the severall Kings Reigns, concerning the same Subject.

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AN EXACT ABRIDGMENT OF ALL STATUTES

In *Force* and *Uſe* untill the Second of *March* in the 17th Year of King *Charles* II. *An. Do.* 1664.

Ability, and Non-ability.

I. **Stat.** *ARticuli Cleri, Cap.* 13. *Anno* 9 *E.* 2. The examination of a perſon preſented to a Benefice belongeth to the *Eccleſiaſtical* Judge.

II. **Stat.** 25 *E.* 3. **Stat.** 2. *De natis ultra mare.* The King's children are inheritable in *England*, whereſoever born.

III. Subjects children (born beyond Sea) are alſo inheritable, ſo that their parents at the time of their birth were within the King's Allegiance, and that the mother went beyond ſea with her husband's conſent.

IV. If Baſtardy be alledged againſt any born beyond Sea, the Certificate ſhall be made by the Biſhop of the place where the land demanded lieth.

V. **Stat.** 42 *E.* 3. 10. Children born beyond Sea in the King's Dominions ſhall be inheritable in *England.*

VI. **Stat.** 31 *H.* 8. 6. Religious perſons profeſſed in Corporations ſeiſed by the King ſhall be enabled to inherit, purchaſe, ſue and to

be ſued, and alſo to have and enjoy any matter or thing which ſhall accrue unto them ſince their deraignment, but ſhall not ſue for any former right deſcended unto them.

VII. Religious perſons being Prieſts, or that have vowed Religion at 21 years of age, ſhall not marry.

VIII. **Stat.** 33 *H.* 8. 29. Religious perſons profeſſed in Corporations, tranſlated from one kind to another, ſhall be enabled to inherit, purchaſe, ſue, and be ſued, *&c.* as well as in thoſe ſeiſed by the King.

IX. **Stat.** 5. 6 *E.* 6. 13. Religious perſons ſhall be adjudged inheritable to their Anceſtors onely from the time of their deraignment, but not by reaſon of any former right accrued before ſuch deraignment.

X. **Stat.** 16, 17 *Car.* 27. An Act for diſabling all perſons in holy Orders to exerciſe any temporal juriſdiction or authority. Repealed 13 *Car.* 2. *ca.* 2.

Accounts.

I. **Stat.** *Marlebridge*, *Cap.* 23. 52 *H.* 3. Bailiffs of Lords who withdraw themſelves from accounting, and have not whereof to be diſtrained, ſhall be attached by the Sheriff, and made to account.

II. **Stat.** *Weſt.* 2. *Cap.* 11. 13 *E.* 1. Servants, Bailiffs, or other Accountants, that are found in arrearages by Auditors aſſigned by their Maſters, upon the teſtimony of the ſame Auditors ſhall be committed to the next Gaol, and there remain in iron under ſafe cuſtody at their own coſts, until they ſhall have ſatisfied their Maſters.

III. Here, if the Accountant finde himſelf aggrieved by the Auditors, he may appeal to the Barons of the Exchequer, and then the Sheriff ſhall give notice to his Maſter to attend the Barons at a certain day with the Account, where the Barons, or Auditors by them aſſigned, ſhall rehearſe the Account, and doe juſtice therein: But if then alſo the Accountant ſhall be found in arrear, he ſhall be committed to the Fleet.

IV. If he flie, or will not account, a *Diſtringas* ſhall iſſue out againſt him, to cauſe him to appear before the Juſtices to account, and upon appearance, Auditors ſhall be aſſigned him, by whom if he be found in arrear, and not able to pay, he ſhall be committed to the Gaol, as aforeſaid. But if he flie, and the Sheriff return thereupon *Non eſt inventus*, after *exigent*, he ſhall be outlawed, and then being taken, he ſhall not be repleviable without the Maſter's conſent, in

pain

pain that the Sheriff, Gaoler, or, &c. who doth ſo bail him (being thereupon convict) ſhall anſwer the Maſter his dammages; and if an inferiour Officer, who ſo doth, be not reſponſible, *Reſpondeat ſuperior.*

* V. **Stat.** *6H.* 4. 3. Immediately after the Sheriffs, Eſcheators, Aulnagers, Cuſtomers, Controllers, and other the King's Officers, ſhall have accounted in the Exchequer, Commiſſions ſhall be ſent down to enquire of their Accounts; and if fraud ſhall be found therein, they ſhall incur the penalty of treble dammages to the King, and ſhall ſuffer impriſonment, not to be enlarged until they have made Fine at the diſcretion of the Judges.

VI. **Stat.** 1 *R.* 3. 14. Accountants for diſmes (granted by the Clergy of the Provinces of *Canterbury* or *York*) are not chargeable to anſwer other mens ſuits in the Exchequer, (by reaſon of their appearance there to account) ſave onely for ſuch things as concern their Account: howbeit they may be ſued in any other Court, notwithſtanding ſuch priviledge of being Accountants.

VII. **Stat.** 13 *Car.* 2. *ca.* 3. All moneys, goods, Plate, Jewels, Horſes, Armes, Ammunition and other things whatſoever, levied or taken ſince the 30th of *January* 1642. by any perſons, by colour of any late pretended Authority, and all Bonds and Securities for the ſame not pardoned by the Act of Oblivion, are declared to be veſted in the King, his Heirs and Succeſſors, who may demand, ſue for and have the ſame.

VIII. All perſons, their heirs, executors, &c. who have received any ſuch money for publick uſes, and particularly the Revenues of Churches in *Wales*, or County of *Monmouth*, ſince 1648. ſhall be accountable for the ſame: and his Majeſty, his Heirs, &c. may iſſue forth Commiſſions under the great Seal, or Seal of Exchequer, for diſcovering and levying the ſame: and all perſons accountable to his Majeſty, ſhall have power to levy or ſue for arrears in the hands of others.

IX. None ſhall be liable as aforeſaid, unleſs they be called to account by information in the Exchequer, or other Courts appointed, before the 24 of *June* 1662. and proſecuted with effect within 12 months after the exhibiting thereof.

X. **Stat.** 14 *Car.* 2. *ca.* 14. All Collectors, Treaſurers, Receivers, Officers of Ships, Mariners, and other perſons whatſoever, that have received or had any Prizes, Ships, Plate, Bullion, Armes, Merchandiſes, or any manner of goods taken for prize ſince the 30 of *January* 1642. (and have not accounted for them) and all ſuch as have bought the ſame, and not paid the money for them, ſhall

be chargeable to his Majeſty, and ſued and called to account for the ſame in the Court of Admiralty, and ſentenced and execution there accordingly. All rights (during the Reign of the late King or his Majeſty) belonging to the Lord Admiral or Lord Ward. of the Cinque-Ports, uſurped or ſeiſed ſince 1648. by any perſons or Body politick, and not pardoned, ſhall be accompted for to his Highneſs *James* Duke of *York*, Lord Admiral, and ſued for in the Court of Admiralty.

Provided in caſes of defect of Juriſdiction in the Admiralty Court, the Court of Exchequer, upon Certificate from the Court of Admiralty, may proceed for recovery and levying the ſaid prizes and goods.

XI. **Stat.** 13 *Car.* 2. *ca.* 13. All money from any perſons due upon the Impoſition, called Exciſe, upon Ale, Beer or other Commodities, heretofore by any Law or pretended Ordinances, and all debts owing by obligation or account from farmers of Exciſe or others, and all ſecurities for the ſame not pardoned, are veſted in the King and his Heirs, and may be ſued for and recovered againſt the perſons, their heirs, executors, &c. having Aſſetts, according to the Stat. of 33 *H.* 8.

Provided, All perſons accountable upon this Act have ſuch allowances, as perſons whoſe Accounts are excepted in the Act of General Pardon and Oblivion ought to have; and no perſon to be queſtioned unleſs he be ſued before the 25 *Decem.* 1662.

XII. All perſons accountable by this Act, may levy and ſue for Arrears againſt all ſuch perſons as ſtand indebted unto them for any Impoſt or Exciſe, as they might have received and levied the ſame when they firſt grew due. *See* Stat. 14 Car. 2. ca. 16. *for ſpeedy bringing to Account perſons not excepted in the Act of General Pardon.*

Accuſations.

I. **Magna Charta.** 29 *H.* 3. No free man ſhall be taken, impriſoned, diſſeiſed, outlawed, exiled, or otherwayes deſtroyed or condemned, without trial by his Peers or the Law: Juſtice or right ſhall not be ſold, denied, or deferred to any.

II. **Stat.** 5 *E.* 3. 9. None ſhall be attached upon any accuſation, nor fore-judged of life or limm, nor his Lands or Tenements, Goods or Chattels ſeiſed into the King's hands, againſt the form of the great Charter, and the Law of the Land.

III. **Stat.** 25 *E.* 3. 4. *Stat.* 5. None ſhall be apprehended upon Petition

Petition or ſuggeſtion made to the King or his Council, unleſs by indictment or preſentment of lawful men, or by proceſs at the Common Law.

IV. None ſhall be outed of his Franchiſes or Free-hold, but by way of Law; and if any thing be done againſt the ſame, it ſhall be redreſſed, and holden for none.

V. **Stat.** 28 *E.* 3. 3. None ſhall be put from his Land or Tenement, impriſoned, diſinherited, or put to death, without being brought in to anſwer by due proceſs of Law.

* VI. **Stat.** 37 *E.* 3. 18. Promoters of ſuggeſtions to the King ſhall finde ſurety before the Chancellor, Treaſurer, and the King's Great Council, to purſue their ſuggeſtions, and to incur the pain which the accuſed ſhould ſuffer, in caſe the ſuggeſtion hold not: And then proceſs ſhall iſſue out againſt the accuſed, without being taken or impriſoned againſt the form of the great Charter.

* VII. **Stat.** 38 *E.* 3. 9. If the promoter of a ſuggeſtion cannot make it good, he ſhall be impriſoned, until he ſatisfie the party grieved his Dammages, and ſhall alſo make fine to the King.

VIII. The clauſe of the 37 *E.* 3. 18. for incurring the like pain, ſhall be taken away.

IX. **Stat.** 42 *E.* 3. 3. None ſhall be put to anſwer an accuſation to the King without preſentment, or ſome matter of Record; and what is done otherwiſe ſhall be void, and holden for errour.

X. **Stat.** 17 *R.* 2. 6. Upon an untrue ſuggeſtion made againſt any in the Chancery, the Chancellor may award dammages.

XI. **Stat.** 15 *H.* 6. 4. None ſhall ſue forth a *Subpœna*, until he finde ſurety to ſatisfie the Defendant his dammages and coſts, in caſe he do not verifie his Bill.

Actions popular.

☞ I. **Stat.** 4 *H.* 7. *ca.* 20. Recovery in an Action popular by Covin, ſhall be no bar in an Action ſued for the ſame thing *bonâ fide*.

II. Here the Defendant attainted of Colluſion ſhall ſuffer two years impriſonment, to be proſecuted within one year.

III. No releaſe of a common perſon ſhall in this caſe diſcharge an Action popular.

IV. Yet no Colluſion is in this caſe averrable, where the point of the ſame Action or the Colluſion it ſelf hath been tried by Verdict.

☞ V. **Stat.** 31 *El.* 5. Informers heretofore reſtrained by

order of any Court ſhall not purſue Actions popular.

VI. In popular Actions the offence ſhall be laid to be done in the County where indeed it was done, otherwiſe, if the Defendant traverſe and diſprove that point, the Plaintiff ſhall be barred.

VII. This Act doth not reſtrain Officers which have lawfully uſed to exhibit informations, nor Actions brought for champerty, buying of Titles, extortion, offences againſt the *Statute* of 1 *El.* 11. (concerning the right landing of Merchandiſe and cuſtom of ſweet wines) concealing of cuſtoms, *&c.* corrupt uſury, foreſtalling, regrating or ingroſſing, when the penalty ſhall amount to 20 *l.* or above: For in all theſe caſes the offence may be laid in any County.

* VIII. Popular Actions, where the King onely hath the forfeiture, ſhall be commenced within two years; where he hath onely a part, and the Informer the reſt, within one year: but this is to be underſtood, where a ſhorter time is not limited by any Statute.

* IX. All ſuits for uſing unlawful Games, or any Art or Myſtery without being brought up in it, and for not having Bows and Arrows according to the Statute, ſhall be proſecuted at the Aſſiſes or Seſſions of the County, or at the Leer, within which the offence was committed, and not elſewhere.

☞ * X. **Stat.** 21 *Jac.* 4. Actions popular, which may be preſented before Juſtices of Aſſiſe, *Niſi prius*, G. D. *Oyer* and *Terminer*, or of P. ſhall be proſecuted onely in the Counties where the offences were committed, except for Recuſancy, Maintenance, Champerty, buying of Titles, concealing of cuſtoms, *&c.* or tranſporting of gold, ſilver, munition, wool, woolfels, or leather.

XI. Upon default of proving that the offence was committed in the ſame County, the Defendant ſhall be found not guilty.

XII. The Informer ſhall make oath that the offence was committed in the ſame County where the Action is laid, and within one year before the ſuit commenced.

* XIII. The Defendant in a popular Action may plead the general iſſue, and yet give ſpecial matter in evidence.

Addition.

I. **Stat.** 1 *H.* 5. 5. In Original Writs, where *Exigent* ſhall be awarded, Additions of the Defendants condition and dwelling ſhall be inſerted.

II. Outlawries otherwiſe proſecuted, ſhall be void.

III. Surpluſage of Additions ſhall not prejudice, albeit the Writ do

do therein vary from the Records and Deeds.

IV. The Clerks of the Chancery ſhall not omit ſuch Additions, in pain to be fined at the diſcretion of the Chancellor.

Adjournment.

I. **Stat.** 2 *E.* 3. 11. The Common Bench ſhall not be removed without warning by adjournment.

Admeaſurement of Dower.

I. **Stat.** *Weſt.* 2. *cap.* 7. 13 *E.* 1. A Guardian ſhall have a Writ of Admeaſurement of Dower, yet the heir (at full age) ſhall not be barred by that ſuit, in caſe it be proſecuted by Colluſion.

II. When it comes to the great diſtreſs, daies ſhall be given, within which two Counties may be holden, where Proclamation ſhall be made for the defendant to come in at the day contained in the Writ; at which if the Defendant appear, the plea ſhall proceed; but if not, upon the Proclamation returned by the Sheriff, and the Defendant's default, Admeaſurement ſhall be made.

Admeaſurement of Paſture.

I. **Weſt.** 2. *cap.* 8. 13 *E.* 1. Upon a ſecond overcharge of Paſture, if the Paſture were admeaſured before the Juſtices, the remedy ſhall be by Writ judicial, returnable before the Juſtices under the ſeals of the Sheriff and Jurors: and then the Juſtices ſhall award dammages to the Plaintiff, and ſhall eſtreat into the Exchequer the value of the beaſts (wherewith the paſture was ſo overcharged) to be anſwered to the King.

II. If the admeaſurement were made in the County, the Sheriff by a Chancery-writ ſhall enquire of the Surcharge, and value of the beaſts, and ſhall anſwer the ſame to the King in the Exchequer.

III. To prevent fraud in the Sheriff, all ſuch Writs *de ſecunda ſuperoneratione* ſhall be enrolled, and alſo at the years end tranſcribed in the Exchequer; and ſo likewiſe ſhall Writs of *Rediſſeiſin.*

Adminiſtrators.

I. **Stat.** 31 *E.* 3. 11. The Ordinaries ſhall depute the next

and moſt lawful friends of the Inteſtate to adminiſter his goods, which deputies ſhall have the benefit, and incurr the charge of an Executor, and ſhall alſo be accountable to the Ordinaries as Executors.

II. **Stat.** 21 *H.* 8. *ca.* 5. Adminiſtration of Inteſtates goods ſhall be granted to the Widow, or next of kin to the Inteſtate, or both, as the Ordinary ſhall think fit.

* *See what Fees onely ought to be paid for Probate of Wills, and obtaining Adminiſtrations, and upon what penalties upon exaction, poſt, Title* Probate of Teſtaments.

Admiralty.

I. **Stat.** 13 R. 2. 5. The Admirals or their Deputies ſhall not meddle with any thing done within the Realm, but onely upon the Sea.

II. **Stat.** 15 *R.* 2. 3. The Admiral's Court ſhall not have Cogniſance of any thing done within the bodies of Counties, as well by land as by water, nor with wrecks of the Sea.

III. Of the death of a man and of a maihem done in great ſhips hovering in the main ſtream of great Rivers (beneath the bridges near the Sea) the Admiral ſhall have Cogniſance, and likewiſe to arreſt ſhips in great Fleets, for the great voiages of the King and Kingdom; and ſhall alſo have juriſdiction in ſuch Fleets during ſuch voiages: Saving to the King his forfeitures, and to Lords, Cities and Boroughs their liberties and Franchiſes.

IV. **Stat.** 2 *H.* 4. 11. The Statute of 13 *R.* 2. 5. is confirmed.

V. The party grieved by the *non-obſervance* of that Statute, ſhall (by Action upon his Caſe) recover double dammages againſt the Proſecutor in the Admiralty; and the Proſecutor ſhall alſo forfeit ten pounds to the King, being thereof attainted.

VI. **Stat.** 8 *El.* 5. A ſentence definitive in a civil and Marine cauſe by delegates appointed by Commiſſion (upon an appeal duly made in the Chancery) ſhall be final.

Advouſon.

I. **Weſt.** 2. *cap.* 5. 13 *E.* 1. Uſurpation of Churches during Wardſhip, particular eſtates, Coverture, or Vacancy, ſhall not bar the heir at full age, the reverſioner or remainder in poſſeſſion, the feme diſcovert, or the ſpiritual perſon in ſucceſſion, from having the

Writ

Writ of Advouſon poſſeſſory, *viz. Quare impedit*, or an Aſſiſe o *Darreine preſentment*, as their anceſtor or Predeceſſor might have had, if the Uſurpation had happened in their time; whereas before this Act they were (in ſuch caſes) put to their Writ of right of Advouſon.

II. Howbeit this Act ſhall not extend to annull judgments already given, but they ſhall be reverſed by Error or Attaint.

III. One and the ſame form of pleading ſhall be uſed in *Darreine preſentment*, and *Quare imped*: *viz.* if the Defendant alledgeth plenarty of his own preſentation, the plea ſhall not ſtay by reaſon of the plenarty, ſo as the Writ be purchaſed within the ſix moneths, albeit he cannot recover within that time.

IV. Where partition is made upon record or by fine to preſent by turn, the Copercener that is diſturbed ſhall not be put to a *Quare impedit*, but may have remedy upon the Roll or fine by *Scire facias*.

V. When ſix moneths paſs hanging a *Quare impedit* or *Darrein preſentment*, ſo that the Biſhop preſents by Lapſe, the Patron ſhall recover dammages to two years value of the Church; otherwiſe dammages onely to half a years value.

VI. The diſturber not being able to render dammages, ſhall in the firſt caſe have impriſonment of two years, and in the other of half a year.

VII. Writs alſo ſhall hereafter be granted for Chappels, Prebends, Vicarages, Hoſpitals, Abbeys, Priories, and other Houſes, which be of the Advouſons of other men.

VIII. When the Parſon of a Church is diſturbed to demand Tithes in the next Pariſh by *Indicavit*, the Patron ſhall have a Writ to demand the Advouſon of thoſe Tithes, and when it is deraigned, then ſhall the Plea paſs in the Court Chriſtian.

IX. Amongſt Coperceners, if one preſent twice together, yet ſhall not the other be barred, but have his or her turn when it falleth.

X. **Prero. Reg.** *cap.* 8. 17 *E.* 2. Lapſe of ſix moneths ſhall not prejudice the King's Preſentation to a Church.

XI. **Stat. de Clero,** *cap.* 3. 23 *E.* 5. When the King collates to the Church in anothers right, his Title ſhall be well examined, and the Patron grieved ſhall have as many Writs thereupon as ſhall be needful.

XII. **Stat. de Clero,** *cap.* 7. 23 *E.* 3. When the Ordinary preſents by Lapſe, and the King takes the ſuit againſt the Patron, who in deceit ſuffers the King to recover; in this caſe, when the King's

right

right is not tried, the Ordinary or Incumbent may counterplead the King's Title.

Age.

I. **West.** 1. *cap.* 46. 3 E. 1. If a Writ of *Novel diſſeiſin* be purchaſed, and the Diſſeiſor die before the Aſſiſe be paſſed, the Plaintiff ſhall have a Writ of Entry *ſur diſſeiſin* againſt his heir: The like Writ ſhall the heir of the diſſeiſee have, in caſe he die, *&c.*

II. And here Nonage of the heir of the diſſeiſor or diſſeiſee ſhall not prejudice in Aſſiſe.

III. If the inqueſt paſs againſt the heir of the diſſeiſee, he ſhall have an Attaint *gratis.*

IV. **Stat. of Glocester,** *Cap.* 2. 6 E. 1. where an Infant is held from his inheritance, whereby he is driven to his Writ, the Inqueſt ſhall paſs, notwithſtanding his Nonage.

V. **An Expoſition of the Statute of Glocester,** *Cap.* 2. 6 E. 1. Touching an Inqueſt to be made for an Infant, that Statute ſhall run without limitation of time,

VI. **Stat. West.** 2. *cap.* 40. 13 E. 1. The ſuit of a woman or her heir after the death of her husband ſhall not be delayed by the Minority of the heir, who ought to warrant the Land.

Aid of the King.

I. **Stat. de Bigamis,** *Cap.* 1. 4 E. 1. Where a feoffment with a Charter thereupon being made by the King hath ſo much in it, that another perſon by a like feoffment, and like Deed, ſhould be bound to warranty, the heir ſhall have Aid, and the Juſtices ſhall not proceed without the King's Commandment.

II. **Ibidem,** *Cap.* 2. But where the King onely confirmeth or ratifieth anothers Act in another mans thing, or granteth any thing to a man as much as in him is, or where a Deed is ſhewed, whereby the King hath rendered any Tenement, and no clauſe of warranty is contained therein: In theſe and like caſes (the ſame being ſhewed to the King) the Juſtices may proceed, and the Tenant ſhall not have aid.

III. **Ibidem,** *Cap.* 3. In Dower, the King's Grantee of a Ward ſhall not have Aid, but the Juſtices may proceed according to right.

IV. **Stat.** 14 E. 3. 14. **Stat.** 1. Upon demand of Lands in the King's hands, after four Writs of ſearch directed to the Treaſurer

rer and Chamberlains of the Exchequer, for finding the King's Minuments, he that defends the lands for the King ſhall be put to anſwer, ſo that the ſaid Writs were delivered 40 daies before their return, and then Juſtice ſhall not be delayed, albeit the contrary be commanded under the Great or Privie Seal.

* Alehouſes, Drunkenneſs.

I. Stat. 5 and 6 E. 6. 25. None ſhall keep Alehouſe without Licence granted either in Seſſ. or by two Juſtices, (1 Quo.) in pain of three daies impriſonment without bail, and not to be enlarged without Recogniſance by himſelf and two ſureties, that he ſhall not keep Alehouſe any longer; the Certificate of which Recogniſance and offence ſhall be a ſufficient conviction at the Qu. Seſſ. to fine him 20 ſh.

☞ II. The Qu. Seſſ. or two ſuch Juſtices have power to put down Alehouſes at their diſcretion, and to take Bond and ſurety of Alehouſe-keepers by recogniſance, that they ſhall not uſe unlawful Games or other diſorder in their houſes, for which Recogniſance the parties bound ſhall pay 12 pence, and whereof Certificate ſhall be made at the next Qu. Seſſ. by the two Juſtices that take it, in pain of 5 Marks.

III. Juſtices of Peace have power to inquire after the breach of this laſt Recogniſance, to award proceſs thereupon, and to hear and determine the ſame at their diſcretions.

IV. This Act ſhall not reſtrain the ſelling of Ale and Beer in Towns where Fairs are kept, during the time of the Fair.

V. Stat. 1 Jac. 9. No Inn-keeper, Victualler, or Alehouſe-keeper, ſhall ſuffer any Town-dwellers to ſit tippling in his houſe, in pain of ten ſhillings; nor ſell leſs then a full Ale-quart of the beſt Ale or Beer, or two quarts of the ſmall, for one peny, in pain of 20 ſhillings: And here, the view of one Juſtice, or proof by two witneſſes upon oath, before one Juſtice, is ſufficient conviction.

VI. The penalties aforeſaid are given to the poor of the Pariſh where the offence is committed, and are to be levied by the Conſtable and Church-wardens by diſtreſs, which after ſix days may be ſold to ſatisfie the penalty: and in default of diſtreſs, the party delinquent muſt ſuffer impriſonment, till he pay the penalty.

VII. Here every Officer that neglects to levy the ſaid penalties, or rectifie (within twenty daies) the default of diſtreſs, ſhall forfeit likewiſe to the poor forty ſhillings, to be levied (upon Warrants from one Juſtice) by diſtreſs and ſale, as aforeſaid; and upon

upon default of diſtreſs, ſhall incur commitment as aforeſaid.

VIII. The Officers, or other parties receiving theſe penalties, ſhall be accountable to the ſucceeding Officers and other pariſhioners.

☞ IX. Stat. 4 Jac. 4. None ſhall ſell Ale or Beer to an unlicenſed Alehouſe-keeper, ſave onely for the expence of his houſhold, in pain of 6 s. 8 d. for every barrel; and ſo more or leſs according to that proportion.

X. This offence ſhall be proſecuted in the Quarter Seſſions, and the forfeiture ſhall be equally divided between the proſecutor and the poor of the Pariſh.

XI. The Officer that ſhall levy the poors moiety ſhall deliver it to the Church-wardens and Overſeers of the Pariſh, or one of them, and they ſhall in convenient time make diſtribution thereof to the poor, in pain that both the Officer and they ſhall forfeit reſpectively double the value of that moiety, to be recovered and employed as aforeſaid.

XII. Stat. 4 Jac. 5. One convicted of drunkenneſs in Court, or before a Judge or Juſtices in their ſeveral limits, ſhall forfeit five ſhillings to the poor, to be levied and imployed as the penalties of 1 Jac. 9. and in caſe he be not able to pay it, ſhall remain in the ſtocks ſix hours.

XIII. Here the Officer that neglects to levy the ſaid penalty ſhall forfeit ten ſhillings to be levied and employed as aforeſaid.

XIV. A Town-dweller which is convict to ſit tipling in any Inn, Victualling-houſe, or Ale-houſe, by the view of one Juſtice, or the proof of two witneſſes, ſhall forfeit ten groats, to be levied and employed as aforeſaid, and being not found able to pay it, ſhall remain in the ſtocks four hours.

XV. Theſe offences, as alſo thoſe mentioned in 1 Jac. 9. ſhall be enquired of, heard and determined, at the Aſſ. Qu. Seſſ. in corporate Towns and in Leets.

XVI. One convicted the ſecond time of drunkenneſs, ſhall be bound in ten pounds with two ſureties to the good behaviour.

XVII. All Conſtables, Church-wardens, Headboroughs, Tithingmen, Alecorners, and Side-men, ſhall be charged on their Oaths to preſent the ſaid offences.

XVIII. This Act ſhall not reſtrain Eccleſiaſtical jurisdiction, nor the two Univerſities.

XIX. None ſhall be twice puniſhed for one offence.

XX. The offenders againſt this Act ſhall be proſecuted within ſix months.

XXI.

XXI. Stat. 21 Jac. 10. An Alehouſe-keeper lawfully convicted for any of the offences forbidden by the Statutes of 1 Jac. 9. or 4 Jac. 5. ſhall be diſabled to keep Alehouſe within three years after.

☞ XXII. Stat. 21 Jac. 7. One witneſs, or the parties own confeſſion, ſhall be ſufficient to prove the breach of 1 Jac. 9. and 4 Jac. 5. and the oath of the party confeſſing ſhall be ſufficient to convince any other.

XXIII. The like view, proof, or confeſſion, ſhall convince a drunkard, as well for the penalty of 5 s. as for the binding of him to the good behaviour, according to 4 Jac. 5.

XXIV. An Alehouſe-keeper offending againſt 1 Jac. 9 or 4 Jac. 5. according to the alterations of this Act, is diſabled to keep Alehouſe within three years after.

XXV. All Conſtables, Church-wardens, Headboroughs, Tithingmen, Ale-conners, and Side-men, ſhall be charged on their oaths, to preſent the offences committed againſt 1 Jac. 9. and 4 Jac. 5. according to the Alterations of this Act.

XXVI. Stat. 1 Car. 4. The Inn-keeper, Alehouſe-keeper, or Victualler, which ſuffers any perſon whatſoever to ſit tipling in his houſe, ſhall incurr the penalty of 1 Jac. 9. to be proved, levied, and employed, as in that Statute is appointed.

XXVII. Vintners, which do alſo keep Inns or Victualling-houſes, ſhall be taken to be within this Act; as alſo within the Statute of 1 Jac. 9. and 4 Jac. 4.

☞ XXVIII. Stat. 3 Car. 3. None ſhall keep Alehouſe without licenſe, in pain to forfeit 20 s. to the poor, which the Conſtable and Church-warden, (upon warrant from the Juſtice before whom the offence is proved) ſhall levy by diſtreſs, which (within three daies) may be ſold to ſatisfie the penalty; and in caſe the delinquent hath not wherewithall, the ſaid Juſtice ſhall commit him to the Conſtable, to be openly whipped: And here the view of one Juſtice, the confeſſion of the party, or proof by two witneſſes, is ſufficient conviction.

XXIX. Here the Officer that neglects to execute the Warrant, or to puniſh the offender, ſhall ſuffer impriſonment without bail, or pay 40 ſhillings, to be employed as aforeſaid.

XXX. In this caſe, if the Alehouſe-keeper offend the ſecond time, he ſhall be committed to the Houſe of Correction for one moneth; and for the third offence, ſhall not be thence enlarged but by order of Seſſions.

XXXI. The offender once puniſhed by this Act, ſhall not be

be again punished by 5, & 6 E. 6. 25. *& contra.*

XXXII. This Act shall not restrain the selling of Ale and Beer in Fairs.

Alienation without Licence.

I. **Prerogat. Regis**, *Cap.* 6. 17 E. 2. None holding of the King in chief by Knight-service may (without his Licence) aliene so much of his Land, that the residue will not suffice to doe his service: but this is not meant of little parcels thereof.

Note, that clause is in Rast. fo. 7. c. *But I finde it not in the Stat. at large, nor in* Stanford. *'Tis in* Polton, *cap.* 6.

II. When Serjeanties are aliened without the King's Licence, the King hath used to rate them at a reasonable extent.

III. **Stat.** 1 *Car.* 3. All Licences of Alienations (other then upon raising of uses by force of any Deed from or out of the Estate of the Covenantor) shall be general to aliene, without expressing any uses.

IV. The Officer that takes above 26 s. 8 d. for drawing, pleading, entring, finishing, and discharging a Licence or Pardon of Alienation, shall forfeit to the party grieved for every peny so taken 5 s. to be recovered by information or action of debt, and shall be for ever after disabled to bear Office in any Court of Justice.

Aliens.

I. **Stat.** 31 *H.* 6. 4. If any stranger (being in league, or having the King's safe conduct) be attached in his person, or robbed of his ship or goods, by any of the Kings Subjects at sea, or in any Port within the Kings Dominions, the Chancellor (upon a Bill of complaint) calling to him any of the Justices of either Bench, shall have power to enlarge the person so attached, and to make delivery and restitution of the Ship or goods, or the value thereof, and also of all costs, expences and losses sustained in that behalf.

* II. **Stat.** 1 *R.* 3. 9. An Alien Artificer (not made Denizon) shall not remain nor exercise any Handicraft in *England*, unless as servant to a Subject skilful in the same Art, in pain to forfeit all his goods.

III. No such Alien shall here in *England* make any cloth, or put any wooll to work, in pain to forfeit the cloth so made.

IV. Such an Alien shall here in *England* sell his wares in gross, and

and not by retail, in pain to forfeit the value of the wares otherwiſe ſold: and being an Handicraftſman, and inhabiting a great houſe, or chamber, ſhall not take any Apprentice or ſervant to work with him, unleſs it be his ſon or daughter, or elſe a Subject born, in pain to forfeit for every Apprentice or ſervant otherwiſe taken 20 *li.*

V. The forfeitures of this Act are to be divided between the King and the proſecutor.

VI. **Stat.** 14 *H.* 8. 2. No Stranger Artificer (Denizon, or not Denizon) ſhall take any Apprentice, but ſuch as is born under the King's obeiſance, in pain to forfeit 10 l. for every Apprentice otherwiſe taken, to be divided betwixt the King and the proſecutor.

No Alien ſhall keep above two Journey-men, except they be born under the King's obeiſance, upon the like pain, to be divided as aforeſaid.

VII. All Strangers (Denizons or not Denizons) dwelling within two miles of *London* ſhall be under the reformation of the Wardens of Handicrafts within that City, and of one ſubſtantial Stranger, being an houſholder of the ſame Craft, to be choſen by the ſame Wardens.

VIII. The ſaid Wardens and that one Stranger ſhall aſſign a proper mark for Strangers wares, without taking any thing for the ſame.

IX. The ſaid Wardens and Stranger ſhall have power to ſearch, view, and reform the wares of Aliens, made within the ſaid precinct.

X. Smiths, Joyners and Coopers (being Aliens) ſhall put ſuch marks to their wares, before they ſell or uſe them, as the ſaid Wardens ſhall appoint, without taking any thing therefore, in pain to forfeit the double value thereof, to be divided between the King and the proſecutor.

XI. If upon ſuch ſearch the Wardens and Stranger ſhall finde any wares to be deceitfully made, they ſhall be forfeit, *viz.* the one half to the King, and the other half to the finder, and ſhall be recovered by action of Detinue.

XII. Wardens and Maſters of Fellowſhips of Handicrafts in other Corporations, and Bailiffs, and other head-Officers in Towns lacking Wardens, have like power to reform ſtrangers, and ſtrangers are bound to yield obedience unto them, upon the like pains as aforeſaid.

XIII. Here if a ſtranger be wronged, upon complaint to the Chancellor and Treaſurer of *England*, or to the Juſtices of Aſſiſe, he ſhall have redreſs.

XIV.

XIV. This Act ſhall not extend to ſtrangers dwelling in *Oxford*, *Cambridge*, or St. *Martins le grand*, *London*.

XV. If the Wardens, with a ſtranger, or the Officers of Corporations or other Towns, refuſe to mark a ſtranger's wares, being required ſo to doe, in ſuch caſe it ſhall be lawful for ſuch ſtranger to ſell his wares, this Act notwithſtanding.

XVI. This Act ſhall onely extend to Joyners, Pouch-makers, Coopers and Black-ſmiths, and to no other Crafts.

XVII. Any of the King's Subjects, having lands worth 100 *l. per annum*, may retain any ſtranger, that is a Joyner or Glaſier, to work for him, this Act notwithſtanding.

XVIII. **Stat.** 21 *H.* 16. A Decree made in the Star-Chamber the 20 of *February*, 20 *H.* 8. concerning Artificers ſtrangers, was confirmed: The ſubſtance of which Decree hereafter followeth.

XIX. A ſtranger Artificer ſhall not keep in his houſe at one time above two ſtrangers ſervants: howbeit a ſubject Artificer may retain as many ſtrangers as he pleaſeth, to be his ſervants or Apprentices.

XX. Strangers Artificers may take as many Engliſh-men to be their ſervants or Apprentices as they can get.

XXI. Strangers Artificers ſhall be contributary with Engliſh Artificers; and in caſe they refuſe, they ſhall not onely loſe the benefit of this Decree, but likewiſe be prohibited to exerciſe their Craft, in pain of incurring the forfeiture of the aboveſaid Statute.

XXII. Strangers Artificers ſhall (upon lawful warning) go with the Wardens, and other Governours of the ſame Company to make ſearch; which if they refuſe, and that proved before the Chancellor of *England*, or Mayor of *London*, or (in other places) before the chief Officers, they ſhall no longer exerciſe their profeſſion in *England*, in pain of the forfeitures aforeſaid.

XXIII. Strangers Artificers ſhall (upon lawful notice) make oath to be true to the King, and obedient to his Laws, and to make due ſearch with others, and not to diſcover to any beforehand the intention of ſearch; and being ſworn, ſhall pay for their Commiſſion as the Subjects of *England* do.

XXIV. No ſtrangers but Denizons ſhall keep houſe or ſhop, in pain of incurring the penalties of the aforeſaid Statutes.

XXV. Strangers ſhall not aſſemble but in the Common Halls of their Myſteries, upon the penalties aforeſaid.

XXVI. This Decree and Act (for ſo much as concerns Cordwainers) ſhall extend as well to ſuch as work old ſtuff, as thoſe that work new.

XXVII. This Decree and Act ſhall not extend to ſtrangers (Denizons

nizons or not Denizons) dwelling in *Oxford, Cambridge*, or *St. Martins le grand, London*.

XXVIII. **Stat.** 22 *H.* 8. 8. Aliens born, made Denizons, ſhall pay all ſuch cuſtomes and other duties as they did before they were made Denizons.

XXIX. A Table of Cuſtomes, Tolls and Duties, ſhall be ſet up in every City, Borough and Town, in pain that every City not doing the ſame ſhall forfeit 5 l. and every Town Corporate 40 s. for every moneth the ſame ſhall fail to be ſet up at *Pentecoſt* next, to be divided betwixt the King and the proſecutor.

XXX. This Act ſhall not prejudice the Merchants of the *Stil-yard, London*.

XXXI. Provided, that the Tables of Scavage to be ſet up in *London* ſhall be approved by the Chancellor and Treaſurer of *England*, the Preſident of the King's Council, the Lord Privie-Seal, the Lord Steward of the King's houſe, and the two chief Juſtices, or four of them, and ſhall be by them ſubſcribed.

XXXII. **Stat.** 22 *H.* 8. 13. No ſtranger, being a common Baker, Brewer, Surgeon or Scrivener, ſhall be accounted a Handicrafts-man within the penal Statutes made againſt ſtrangers Artificers.

XXXIII. **Stat.** 32 *H.* 8. 16. All ſtrangers (made Denizons) ſhall be obedient to the Statutes of 1 *R.* 3. 9. 14 *H.* 8. 2. and 21 *H.* 8. 16. And in all Letters Patents of Denization hereafter to be made a *Proviſo* for that purpoſe ſhall be inſerted; ſave onely when the King ſhall pleaſe to grant ſpecial Liberties, and then thoſe Liberties ſhall be plainly expreſt, both in Bills ſigned by his Majeſty, and alſo in the Letters Patents.

XXXIV. No Alien Artificer (Denizon or not Denizon) in *Oxford, Cambridge*, or *St. Martins le Grand, London*, ſhall keep above two ſtrangers ſervants at one time, in pain to incur the penalty of 14 *H.* 8. 2.

XXXV. Every Alien (not Denizon) within the King's Dominions ſhall be bound to obſerve the Laws of this Kingdom.

XXXVI. No Subject or Stranger (uſing no handicraft) ſhall retain above four ſervants ſtrangers, in pain to forfeit for every ſervant kept above that number 10 *l.*

XXXVII. The aboveſaid forfeitures ſhall be divided betwixt the King and the proſecutor.

XXXVIII. This Act ſhall not be prejudicial to a Proclamation publiſhed by the King, concerning the payment of Cuſtomes for ſtrangers to indure for certain years.

XXXIX. Lords of the Parliament may keep ſix ſtrangers born, at one time.

XL. No ſtranger (except Denizons) ſhall take a Leaſe of any houſe or ſhop, in pain to forfeit 5 *l.* and none ſhall let them ſuch Leaſes upon the like pain, both of them to be divided betwixt the King and the Proſecutor.'

Amendments.

I. **Stat.** 14 *E.* 3. 6. **Stat.** 1. A proceſs which is defective by Miſpriſion of a Clerk, in one ſyllable or letter too much or too little, ſhall be amended without giving advantage to the party challenging the ſame.

II. **Stat.** 9 *H.* 5. 4. The Juſtices before whom ſuch default ſhall be found in any Record or Proceſs, may amend the ſame as well after Judgment as before, ſo long as ſuch Record or Proceſs ſhall continue before them.

III. **Stat.** 4 *H.* 6. 3. The Statute of 9 *H.* 5. 4. is made perpetual, provided it ſhall not extend to Records or Proceſs in *Wales*, or whereby any perſon is outlawed.

IV. **Stat.** 8 *H.* 6. 12. No Judgment or Record ſhall be reverſed or annulled for Error aſſigned by reaſon of the raſing or interlining of any Record, Proceſs, Warrant, Writ, Pannel, or Return; or of any Addition, Subtraction or Diminution of Words, Letters, Titles, or parcel of Letters found in the ſame.

V. The Judges may reform all defects in any Record, Proceſs, Ward, Plea, Warrant, Writ, Pannel, or Return; (except Appeals, Indictments of Treaſon or Felony, and the Outlawries of the ſame, and the ſubſtance of the proper names, ſurnames, and additions left out in original Writs, Exigents, and in other Writs of Proclamation contrary to the Statute of 1 *H.* 5. 5. *which ſee in Addition*) ſo that by ſuch miſpriſion of the Clerk no Judgment ſhall be reverſed or annulled.

VI. Variance alledged between a Record and the Certificate thereof ſhall be amended by the Judges.

VII. Imbezilling of a Record is felony.

VIII. If a record, proceſs, writ, warrant, pannel, return, or any parcel thereof, be exemplified under the Great Seal, and inrolled; for any error aſſigned in the ſaid Record, *&c.* in any letter, word, clauſe or matter varying, or contrary to the exemplification and inrolment, there ſhall be no judgment reverſed or annulled.

IX. **Stat.** 8 *H.* 6. 15. The Juſtices may amend the miſpriſion and defaults of Clerks of the Court, or of Sheriffs their Clerks, and

and of all other Officers whatſoever, found before them in any record or proceſs, or the return of the ſame by reaſon of writing one letter or one ſyllable too much or too little; except in records and proceſſes within *Wales*, and of felonies and treaſons, and the dependants of the ſame.

Amerciaments.

I. **Magna Charta**, *cap.* 14. 9 *H.* 3. A free-man ſhall not be amerced for a ſmall fault, but according to the manner thereof, and for a great offence according to the quantity thereof, ſaving to him his Contentment (or *Countenance*,) and a Merchant ſaving his merchandize, and any Villain (except the King's) ſhall be amerced, ſaving his wainage; and ſuch amerciaments ſhall be aſſeſſed by lawful men of the Vicinage. Peers alſo ſhall be amerced by Peers, according to their offence. Alſo Church-men ſhall be amerced according to their Lay-tenement, and the quantity of their offence, and not according to their Spiritual Benefice.

II. **Ibid.** *cap.* 18. 52 *H.* 3. No Eſcheator, Commiſſioner, or Juſtice, aſſigned to take Aſſizes, or to hear or determine matters, ſhall have power to amerce for default of common Summons, but the chief Juſtices, or the Juſtices in Eyre in their Circuit.

III. **Weſt.** 1. *cap.* 6. No City, Borough, Town, or man ſhall be amerced without reaſonable cauſe, and according to the treſpaſs, *viz.* every Free-man ſaving his Free-hold, a Merchant ſaving his merchandize, a Villain ſaving his Gaignre, and that by his or their Peers.

Anniverſary Faſt.

I. **Stat.** 12 *Car.* 2. *ca.* 30. Every 30th day of *January*, unleſs it falls upon the Lord's day, throughout his Majeſtie's dominions ſhall be kept and obſerved as an anniverſary day of Faſting and Humiliation for the horrid Murther of King *Charles* the Firſt, committed by a party of deſperately wretched and wicked men, to the ſhame and reproach of the people of *England*, and Proteſtant Religion: and to implore God's mercy, that the ſaid ſacred and innocent bloud, nor thoſe other ſins which provoked God to deliver up the ſaid King into the hands of wicked and unreaſonable men, may not hereafter be viſited upon the people of *England* or their Poſteriety.

Annuary Thanksgiving.

I. **Stat.** 12 *Car.* 2. *cap.* 14. A perpetual annuary Thanksgiving, to be celebrated on the 29th day of *May*, for the wonderful power and goodness of God in restauration of the King by the unanimous and cordial affection of the Lords and Commons in Parliament and people in general; upon which day all persons are to resort to some Church, Chappel or publick place of Thanksgiving, this Act to be then read, and notice to be given the next Lord's day before.

Apparance.

I. **Stat.** 10 *H.* 6. 4. No Filizer, Exigenter, or other Officer whatsoever in any suit shall make entry, that the Plaintiff *obtulit se in propria persona sua*, unless the Plaintiff, before such entry made, doth (indeed) appear in proper person before some of the Justices of the place where the Plea depends, and (either by himself, or some other credible person of his Council) make oath, that he is the same person in whose name that suit is prosecuted. This Act to continue to the next Parliament.

II. **Stat.** 18 *H.* 6. 9. The *Stat.* of 10 *H.* 6. 4. is made perpetual.

III. No officer contained in the Statute of 10 *H.* 6. 4. shall doe to the contrary thereof, in pain to forfeit 40 s. to the *King* for every time that he shall be attainted thereof by due examination of any of the Justices, before whom the Entry or Record is.

IV. Every Attorny who hath not his Warrant entred upon Record, in all suits wherein process of *Capias* and *Exigent* are awardable, the same Term in which the *Exigent* is awarded, or before, and is thereof attainted by like examination, for every time he so offendeth shall incur the pain aforesaid.

Appeals.

I. **Magna Charta**, *cap.* 34. 9 *H.* 3. No man shall be taken or imprisoned upon the appeal of a woman, for the death of any other then her husband.

II. **West.** 1. *c.* 14. 3 *E.* 1. The accessary in an appeal shall not be outlawed before the Principal be attainted: Howbeit, none shall intermit to commence their appeal at the next County as well against the accessary as against the principal: but the *Exigent* against

againſt thoſe ſhall remain, until thoſe be attainted by Outlawry or otherwiſe.

III. **Stat.** *Gloc. c.* 14. 9 *E.* 1. If the Appealor declare the deed, the year, the day, the hour, the time of the King, and the town where the fact was done, and with what weapon, the appeal ſhall ſtand, and ſhall not be abated for default of freſh ſuit, ſo that he ſue within a year and a day after the fact.

IV. **Weſt.** 2. 12. 13 *E.* 1. Upon a falſe appeal by malice the Appellor ſhall ſuffer a year's impriſonment, make fine to the King, and recompence dammages to the Appellant at the diſcretion of the Juſtices.

V. When the Appealor is not able to ſatisfie dammages, and an Abettor (through malice) is alſo found by the ſame Inqueſt, ſuch Abettor ſhall alſo be puniſhed by impriſonment, and reſtitution of dammages, as before.

VI. **Articuli Cleri**, *ca.* 10. 9 *E.* 2. Thieves and Appealors (whenſoever they will) may confeſs their offences to Prieſts: but let the Confeſſors beware that they inform them not erroneouſly.

VII. **Stat. of Appeals**, 28 *E.* 1. When any are appealed by provers, the Sheriff ſhall by the King's Writ, under the teſtimony of the Juſtices that delivered thoſe provers, bring ſuch appealees to the Gaols where the provers or appealors are kept, to anſwer before the ſame Juſtices; and if the Appealees will be tried by the Country, the Sheriff ſhall alſo by a judicial Writ from the ſame Juſtices cauſe an Inqueſt to appear.

VIII. The Sheriff and others (in whoſe cuſtody ſuch Appealors are kept) ſhall receive ſuch Appealees without contradiction.

IX. **Stat.** 1 *H.* 4. 14. All appeals of things done within the Realm ſhall be tried by the laws thereof; and of thoſe done out of the Realm, by the Conſtable and Marſhal of *England* for the time being.

Appeals to *Rome*.

* I. **Stat.** 24 *H.* 8. 12. All cauſes teſtamentary, and of Matrimony, divorces, rights of tithes, oblations and obventions, ſhall be adjudged within the King's Authority, and not elſewhere.

II. The Prelates of this Realm may execute all Sacraments, Sacramentals, Divine Service, and all other things to the King's ſubjects which they ought to do, notwithſtanding any appeal to *Rome*, or any other forein power whatſoever.

III. If any ſpiritual perſon for fear of any forein power ſhall

refuſe ſo to doe, he ſhall make fine and ranſom at the King's pleaſure.

IV. Whoſoever procureth from the See of *Rome*, or any other forein Court, any appeals, proceſs, ſentences, *&c.* ſhall incurr a *Præmunire*, provided by the Statute of 16 *R.* 2. 5. *which ſee in Proviſo* 8.

V. Appeals in caſes Eccleſiaſtical ſhall be ſued from the Archdeacon or his Official to the Biſhop Dioceſan; and when the cauſe is commenced before the Biſhop Dioceſan or his Commiſſary, within 15 days after ſentence, an appeal may be made from thence to the reſpective Archbiſhop of the Province, to be there definitively adjudged.

VI. When the cauſe is commenced before an Archdeacon of any Archbiſhop or his Commiſſary, the appeal may be made within 15 days after ſentence to the Court of Arches, or audience of the ſame Archbiſhop; and from the Arches or audience, within 15 days after ſentence there, to the Archbiſhop himſelf, to be finally determined, without any farther appeal.

VII. When the cauſe is commenced before the Archbiſhop himſelf, it ſhall be there determined without any farther appeal, ſaving to the Archbiſhop and Church of *Canterbury* the due prerogative heretofore uſed.

VIII. When the cauſe or ſuit concerns the King, the party grieved may (within fifteen days after ſentence) appeal from any of the ſaid Courts, to the Prelates aſſembled (by the King's Writ) in the Convocation being, or next enſuing in the Province where the ſuit was begun; and there it ſhall be finally determined.

IX. If any ſhall hereafter purſue any appeal contrary to this Act, or ſhall refuſe to obey it, he ſhall incur a *Præmunire*.

Apprentice.

I. Stat. 12 *H.* 7. 1. The makers of Worſteads, Sayes and Stamins in *Norfolk* are enabled to take Apprentices, and any perſon may alſo put Apprentices unto them; ſo that they keep not above two Apprentices (at moſt) at one time.

Appropriations.

I. Stat. 15 *R.* 2. 6. In every Licenſe made in Chancery of the Appropriation of any Church, this ſhall be contained, *viz.* That the *Dioceſan* ſhall ordain (according to the value of ſuch Churches) a convenient ſumm to be yearly diſtributed out of the profits

profits thereof to the poor of the Pariſh by the appropriators and their ſucceſſors for ever; and alſo that the Vicar ſhall be ſufficiently endowed.

II. **Stat.** 4 *H.* 4. 12. The Statute of 15 *R.* 2. 6. ſhall be duly executed, and Appropriations made ſince that Statute contrary thereunto ſhall be reformed before Eaſter, or elſe to be void, except *Haddenham* in the Iſle of *Ely*.

III. All Vicarages annexed or appropriated ſince 1 R. 2. ſhall be void.

IV. In every Church ſo appropriate, a ſecular perſon ſhall be ordained Vicar, canonically inſtituted and inducted in the ſame, and conveniently endowed (by the diſcretion of the Ordinary) to doe Divine Service, inform the people, and keep hoſpitality there, (except *Haddenham* aforeſaid) and no Religious ſhall be hereafter made Vicar in any Church ſo appropriate.

Approvements.

I. **Merton,** *Cap.* 4. 20 *H.* 3. Lords of Waſtes or Commonable woods or paſtures may approve againſt their Tenants part thereof, ſo that they leave ſufficient common beſides, together with free egreſs and regreſs to enjoy the ſame: And the truth thereof ſhall be enquired by Aſſiſe, wherein dammages ſhall be given to the Plaintiff if he recover, and the diſſeiſors ſhall be amercied.

II. **Weſt.** 2. *cap.* 46. 13 *E.* 1. The Statute of *Merton* ſhall not onely binde the Lords Tenants, but neighbours alſo which claim common of Paſture as appurtenant to their Tenements: but if any claim common by ſpecial feoffment or grant for a certain number of beaſts, or otherwiſe, which is due to him of common right, he ſhall recover the ſame according to the form of ſuch grant.

III. By occaſion of a Wind-mill, Sheep-cote, Dairy, inlarging of a court neceſſary, or courtilage, none ſhall be grieved by Aſſiſe of *Novel diſſeiſin*, for common of Paſture.

IV. If any (upon juſt title of approvement) do make a ditch or hedg for that purpoſe, which afterwards is thrown down by ſome who cannot be diſcovered by verdict of the Aſſiſe or Jury, and the Towns adjoyning will not indite ſuch as are guilty of the fact; in ſuch caſe the ſaid Towns ſhall be diſtrained to level again ſuch ditch or hedg at their own coſts, and ſhall alſo yield dammages.

V. **Stat.** 3 *E.* 6. 3. The Statute of *Merton*, *cap.* 4. and *Weſt.* 2. *cap.* 46. are confirmed.

VI. Upon Judgment for the Plaintiff in an Aſſiſe upon any

branch of the ſaid Statutes of *Merton* or *Weſt.* 2. the Court ſhall award treble dammages.

VII. This Act ſhall not extend to houſes heretofore built upon waſtes or commons, not having above 3 Acres of ſuch waſte or common-ground belonging to them, nor to any Garden, Orchard or Pond there not exceeding two Acres; neither yet ſhall it cauſe any perſon to loſe or forfeit any pain or dammage for the ſame, but ſuch houſes and grounds ſhall ſtill ſtand and remain: howbeit the owners of ſuch waſtes or commons may lay open ſo much thereof as ſhall exceed three Acres.

VIII. **Stat.** 43 *El.* 11. All Contracts or Bargains made of part of ſuch waſtes, commons, or ſeveral grounds (lying in or near the ſame) as are ſubject to ſurrounding, between the Lords, Commoners, or owners thereof on the one part, and the drainers on the other part, ſhall be good in Law according to the manner and form of ſuch contracts or bargains.

IX. Where the Queen, her heirs and ſucceſſors, hath an intereſt in ſuch waſtes or commons, ſuch contracts or bargains ſhall not binde them, unleſs they be written in parchment, indented, and certified into the Chancery, and the royal aſſent thereunto firſt obtained, and ſignified under the privie or great Seal, when the waſtes or ſoils are of the poſſeſſions of the Crown; but under the Seal of the Dutchy of *Lancaſter*, and inrolled in that Court, when they are of that kinde.

X. This Act ſhall not impair or take away the intereſt of ſuch Lords, Commoners, or Owners in any part of the reſidue of the waſtes or commons not aſſigned to the ſaid Drainers, or any Franchiſe or Liberty; but that the ſame may be lawfully uſed, as if this Act, or ſuch contract or bargain had not been made.

XI. This Act ſhall not be prejudicial to Ports or Havens, neither ſhall it be put in execution within eight miles of *Yarmouth*, or ſix miles of *Linne*.

☞ Armour, Arms.

I. **Stat.** 7 *E.* 1. It belongeth to the King to prohibit force of Arms, and all other force againſt the peace, and to puniſh offenders therein according to the Law; and herein every ſubject is bound to be aiding.

II. **Stat.** 1 *E.* 3. *Stat.* 2. 5. None ſhall be charged to arm himſelf otherwiſe then as was uſed in the time of the King's progenitors; neither yet ſhall any be compelled to go out of his Shire, but when neceſſity requireth, and the ſudden coming of ſtrange enemies

mies into the Realm: and then it ſhall be done as in times paſt for the defence of the Realm.

III. **Stat.** 2 *E.* 3. 3. None ſhall come with force and arms before the King's Juſtices, or other his Miniſters, nor go or ride armed in affray of peace, in pain to forfeit their armour, and to ſuffer impriſonment at the King's pleaſure.

IV. Juſtices of Peace, and other Officers, have power to put this Act in execution, and the Juſtices of Aſſiſe ſhall inquire of their default in that behalf.

V. **Stat.** 7 *R.* 2. 13. None ſhall ride in harneſs contrary to 2 *E.* 3. 3. in pain to forfeit the ſame.

VI. **Stat.** 20 *R.* 2. 1. The Statutes of 2 *E.* 3. 3. 7 *R.* 2. 13. ſhall be duly obſerved, upon the pains contained in the ſaid Statute of 2 *E.* 3. 3. and beſide to make fine to the King.

VII. **Stat.** 31 *El.* 4. To imbezil 20 s. worth of the Queen or her ſucceſſors Ordnance, Munition, or Victual provided for war, for lucre, or with purpoſe to hinder the ſervice, is adjudged felony, if proſecuted within the year.

VIII. This offence ſhall not cauſe corruption of bloud, nor loſs of Dower, onely the offender ſhall forfeit his lands during his life.

IX. The Defendant may produce witneſſes for his diſcharge.

See more in Title of Captains *and* Souldiers, *n.* 39.

Arreſts.

I. **Weſt.** 1. *cap.* 34. 3 *E.* 1. None (except the King's Mi[illegible]ers) ſhall within a Liberty arreſt any perſon paſſing through the ſame, and holding nothing thereof, for any Contracts, Covenants, or treſpaſſes made or done out of ſuch Liberty, in pain to pay double dammages to the party grieved, and a fine to the King.

II. **Stat.** 50 *E.* 3. 5. None ſhall arreſt Clerks or other perſons of holy Church doing Divine Service, in pain of grievous forfeiture, ſo that Colluſion be not found in any ſuch perſons or Clerks.

III. **Stat.** 1 *R.* 2. 15. None ſhall arreſt ſuch perſon or Clerks doing Divine Service, in pain of impriſonment, and to be ranſomed at the King's will.

IV. **Stat.** 13 *Car.* 2. *ca.* 2. *Stat.* 2. No perſon arreſted upon any Writ out of the King's Bench or Common-Pleas, upon which he is bailable by the Statute 23 *H.* 6. *ca.* 10. ſhall be forced to give Security or enter into bond with Sureties for his appearance at the day in ſuch writ, bill or proceſs ſpecified in any ſumm above 40 l. unleſs the cauſe of action be expreſſed particularly; and where

ſuch

ſuch cauſe of action is not expreſſed, all Sheriffs and Officers ſhall let to bail perſons arreſted upon 40 l. Security for their appearance, according to the Statute 23 *H.* 6.

V. Upon appearance by Attorney in Term entred in Court where the proceſs is returnable, the bail-bond ſhall be ſatisfied and diſcharged; and after ſuch appearance, no amerciament ſhall be eſtreated againſt any Sheriff or officer for want of appearance: and if the Plaintiff in ſome perſonal action declare not before the end of the next term after appearance, Non-ſuit may be entred againſt him, and coſts taxed and levied, as in the Statute 28 *H.* 8. *ca.* 15.

VI. *Proviſo* this Act extend not to *Cap' utlagatum*, Attachments upon Reſcous, Attachments of Priviledge, or any other Attachment for contempt whatſoever, iſſuing out of either of the ſaid Courts.

VII. Original writs may be ſued upon perſonal actions againſt perſons in the Fleet, and an *Habeas corpus* granted to bring them to the barr to anſwer any ſuit and declaration; being put in, and the Defendant not pleading, judgment may be entred by *Nihil dicit*, and the Priſoner charged in execution, upon notice thereof to the Warden of the *Fleet*, by rule of the Court.

VIII. In Actions of debt and other perſonal Actions and *Ejectione firm'* in any of the ſaid Courts, after iſſue joyned to be tried by the Jury, and after Judgment obtained, there ſhall not need to be 15 days between the Teſte and Return of any *Venir' fac'*, *Hab' corp' Jurator'*, *Diſtringas*, *Fieri fac'*, or *Cap' ad ſatisfaciendum*; and the want thereof ſhall be no error.

Provided this extend not to Writs of *Cap' ad ſatisfaciendum*, where any exigent after judgment is to be awarded; nor to any *Cap' ad ſatisfaciendum*, in order to make any bail liable.

☞ Arrow-Heads.

* I. Stat. 7 *H.* 4. 7. All Heads for Arrows and quarrels ſhall be well boiled or brazed, and hardened at the point with ſteel, in pain to forfeit them, be impriſoned, and make fine at the King's will.

II. Such Arrow-heads and quarrels ſhall be marked with the proper mark of the maker.

III. Juſtices of P. have power to puniſh ſuch as make defective Arrow-heads and quarrels.

Aſſault.

I. **Stat.** 5 *H.* 4. 6. If any aſſault the ſervant of a Knight or Burgeſs of Parliament, Proclamation ſhall be made that he render himſelf into the King's Bench within a quarter of a year, which if he doe not, he ſhall be attainted of the fact, and pay double dammages to the party grieved, to be taxed by the diſcretion of the Juſtices, or by inqueſt, if need be; and beſides ſhall make fine and ranſom at the King's will.

II. **Stat.** 11 *H.* 6. 11. The like proviſion is made againſt aſſaults made upon any member of either Houſe of Parliament, or of any other council aſſembled by the King's command; onely, if it be not Term-time, he ſhall then appear the firſt day of the Term following that quarter, and upon appearance ſhall be proceeded againſt as before.

Aſſiſes.

I. **Magna Charta,** *cap.* 12. 9 *H.* 3. Aſſiſes of *novel diſſeiſin* and *Mortdanceſter* ſhall be taken in their proper Shires in this manner: The King, or (in his abſence out of the Realm) the chief Juſtices ſhall once a year ſend the other Juſtices through every County to take together with the Knights of the Shires ſuch Aſſiſes in thoſe Counties, and ſuch things as cannot be there determined ſhall be ended elſewhere in their Circuits: Alſo difficult matters ſhall be referred to the Juſtices of the Bench to be there determined.

II. **Weſt.** 1. *Cap.* 24. 3 *E.* 1. If any Eſcheator, Sheriff, or other Bailiff of the King do by colour of his office, without ſpecial warrant pertaining to his office, diſſeiſe any man of his free-hold, or any thing belonging thereunto, it ſhall be in the election of the diſſeiſee, whether the King by office ſhall cauſe it to be amended upon complaint, or that he will ſue by writ of *Novel diſſeiſin*, wherein if the diſſeiſor be attainted, the diſſeiſee ſhall recover double dammages, and the diſſeiſor ſhall alſo be grievouſly amerced to the King.

III. **Weſt.** 1. *cap.* 36. 3 *E.* 1. If any be attainted of *diſſeiſin* done in the now King's time with robbery of goods or otherwiſe, the diſſeiſee by Aſſiſe of *Novel diſſeiſin* ſhall recover his ſeiſin and dammages, and the diſſeiſor (whether preſent or not) ſhall make fine, and if preſent, ſhall be committed.

IV. **Weſt.** 1. *cap.* 48. 3 *E.* 1. Aſſiſes of *Novel diſſeiſin*, *Mortdanceſter* and *Darreine preſentment* ſhall be taken in *Advent*, *Septuageſima*,

geſima and *Lent*, as well as inqueſts, and that at the ſpecial requeſt of the King made to the Biſhops.

V. **Weſt.** 2 *cap.* 25. 13 E. 1. For eſtovers of wood, profit to be taken in woods, corrodie, delivery of corn, and other victuals and neceſſaries to be received yearly in a certain place, toll, tunnage, paſſage, pontage, pawnage, and the like to be taken in places certain, keeping of Parks, Woods, Foreſts, Chaſes, Warrens, Yates, and other Bailiwicks and offices in Fee, an Aſſiſe of *Novel diſſeiſin* ſhall be; and in ſuch caſes the Writ ſhall be (as in other caſes) *de libero tenemento.*

VI. It ſhall alſo be for Common of Turf-land, fiſhing, and ſuch like common appendant to Free-hold, or by ſpecial deed, (as it heretofore held place for common paſture) provided the eſtate therein be (at leaſt) for life.

VII. If any holding for years or in ward aliene the fee, remedy ſhall be had by this Writ, and both the feoffors and feoffees ſhall be had for diſſeiſors; ſo that during the life of any of them the ſaid Writ ſhall hold place, and if they die, the remedy ſhall be by Writ of *Entry*.

VIII. The giving of this Writ in new caſes ſhall not diminiſh the force thereof in thoſe wherein it had force before; and remedy alſo ſhall be had thereby in caſe where one feedeth in the ſeveral of another.

IX. In this ſuit, if the Defendant fail to make good the exception which he pleads, he ſhall be adjudged a Diſſeiſor without taking the Aſſiſe, and ſhall give to the Plaintiff double dammages, both inquired, and to be inquired; and beſides, ſhall ſuffer a year's impriſonment.

X. If ſuch an exception be alledged by a Bailiff, the taking of the Aſſiſe ſhall not be thereby delayed, nor yet the Judgment upon the reſtitution of the lands and dammages: Howbeit, if the Maſter of ſuch Bailiff afterwards offer to prove to the Court by matter of record, that there was juſt exception, whereby the Plaintiff might have been barred, he ſhall have a *Venire facias* to produce ſuch record: and then, if the Juſtices ſee cauſe, the Plaintiff ſhall be warned to appear at a certain day, and the Defendant ſhall then have again his ſeiſin and dammages, and the Plaintiff ſhall be puniſhed by impriſonment at the diſcretion of the Juſtices. In like manner alſo ſhall the Juſtices proceed, in caſe the Defendant's proof is by deeds or releaſes; and if the Plaintiff purchaſed the Aſſiſe contrary to his own deed, he ſhall be puniſhed, as aforeſaid.

XI. The Sheriff ſhall not take an Ox of the diſſeiſee, but of the diſſeiſor onely, and but one Ox, though there be many diſſeiſors named

med in the Writ; and that Ox ſhall not exceed 5 s. in value. *Note that* 5 s. *then, hath now the value of* 15 s.

XII. **Weſt.** 2. 46. 13 E. 1. Where common of Paſture hath been uſurped during Nonage, Coverture, tenancy in dower, by the courteſie, for life, years, or in tail, it hath been holden, that, if ſuch poſſeſſor of common be deforced, he ought to have Action by Writ of *Novel diſſeiſin*: it muſt now be holden, that ſuch as have entred within the time that an Aſſiſe of *Mortdanceſter* hath lain, if they had no common before, ſhall not recover by Writ of *Novel diſſeiſin*, albeit they be deforced.

XIII. **Stat.** *de conjunct. feoffatis*, 34 E. 1. In an Aſſiſe of *Novel diſſeiſin*, if joynt-tenancy be pleaded by force of a Deed, upon the Plaintiff's averment againſt it, the Juſtices ſhall keep the Deed until the trial, and in the mean time ſhall by *ſcir' facias* ſummon the abſent joynt-tenant to be preſent with the Defendant at the ſaid trial, and they ſhall there maintain the Plea, if they can: But if it ſhall then be proved by an Aſſiſe, that the Plea was maliciouſly alledged to delay the Plaintiff, albeit the Aſſiſe doth paſs for the Defendants, yet he who pleadeth that exception ſhall ſuffer one whole year's impriſonment, and ſhall not be enlarged without grievous fine: And if it be found by Aſſiſe, that the Plaintiff was diſſeiſed, he ſhall recover ſeiſin and double dammages, and the trial ſhall go on, notwithſtanding ſuch plea, and albeit neither of the pretended joynt-tenants appear; howbeit joynt-tenancy ſhall not be pleaded by Bailiffs.

XIV. Alſo in Aſſiſes of *Mortdanceſter*, and *juris utrum*, the like courſe ſhall be taken as in thoſe of *Novel diſſeiſin*.

XV. In other Writs likewiſe, whereby Tenants are demanded; ſave that in them the dammages are referred to the diſcretion of the Juſtices.

XVI. **Stat.** *Eborum.* 34 E. 2. 1. Tenants in Aſſiſe of *Novel diſſeiſin* may make Attorneys, and may alſo plead by Bailiffs, as in times paſt.

XVII. **Stat.** 7 R. 2. 10. An Aſſiſe of *Novel diſſeiſin* for rents iſſuing out of lands in divers Counties ſhall be taken in *Confinio Comitatus*, as is uſed for Common of paſture in one County appendant to tenements in another.

XVIII. **Stat.** 1 H. 4. 8. A ſpecial Aſſiſe is maintainable by the diſſeiſee for ſuch lands as are granted by the King's Patent, without title firſt found by inqueſt for the King, without ſuit to be made to the King in that behalf; and if the Patentee pray in Aid of the King, a *Procedendo* ſhall be alſo granted without ſuit.

XIX. Here if the Aſſiſe paſs for the diſſeiſee, he ſhall recover

ver treble dammages againſt the Patentee.

XX. **Stat.** 4 *H.* 5. 8. If any make forcible entry into lands by way of maintenance, the Chancellor of *England* ſhall grant a ſpecial Aſſiſe without ſuing to the King: and if the diſſeiſor ſhall be attainted thereof, he ſhall ſuffer one whole year's impriſonment, and reſtore double dammage to the party grieved.

XXI. **Stat.** 6 *H.* 6. 2. The pannels of Aſſiſes ſhall be arrayed, and an indented Copy thereof delivered by the Sheriff to the Plaintiffs, Tenants, and Defendants, ſix days before the Seſſions, if they demand the ſame; alſo Bailiffs of Franchiſes ſhall make their returns thereof to the Sheriff at the like time; upon pain to forfeit each of them, Sheriff or Bailiff, 40 l.

XXII. **Stat.** 11 *H.* 6. 2. In an Aſſiſe, if the Sheriff be named a diſſeiſor by Colluſion, to the end the Writ may be directed to the Coroner, and the Aſſiſe ſecretly awarded by the tenant's default, upon the Plaintiff's averment thereof, and if it ſhall alſo be found by the Aſſiſe to be ſo, the Juſtices ſhall abate the Writ, and grievouſly amerce the Plaintiff.

XXIII. **Stat.** 21 *H.* 8. 3. The Plaintiff in Aſſiſe may abridge his plaint of any part whereunto a barr is pleaded, without prejudice to the reſidue.

Attaint.

I. **Weſt,** 1. *cap.* 37. 3 *E.* 1. An Attaint is granted in Plea of Land, Free-hold, or any thing touching Free-hold.

II. **Stat.** *de attinctis,* 13 *E.* 2. In Attaint, if the firſt Jurors which ſhall be living appear not at the firſt grand diſtreſs, or be returned to have nothing, by their abſence there ſhall be no delay made of the other Jury: *See* Raſt. *Attaint* 2.

III. **Stat.** 1 *E.* 3. 6. In a Writ of Treſpaſs, an Attaint ſhall be granted by the Chancellor without ſpeaking to the King, as well upon the principal as upon the dammages.

IV. In all caſes of Attaints, the Juſtices ſhall not let to take the Attaints for the dammages not paid.

V. **Stat.** 5 *E.* 3. 6. *Nihi prius* ſhall be granted in Attaints, but no eſſoin or protection; and five daies by the year ſhall be given before the Juſtices of the Common Bench at leaſt.

VI. **Stat.** 5 *E.* 3. 7. Writs of Attaint ſhall be granted as well in pleas of treſpaſs moved without Writ, as by Writ before Juſtices of Record, if the dammages adjudged do exceed 40 s.

VII. **Stat.** 28 *E.* 3. 8. An Attaint ſhall be granted as well upon a Bill of treſpaſs, as upon a Writ of treſpaſs, without

out having regard to the quantity of the dammages.

VIII. **Stat.** 34 *E.* 3. 7. An Attaint ſhall lie as well in plea real as perſonal, and it ſhall be granted to the poor (who ſhall affirm that they have nothing whereof to make fine, ſaving their countenance) without fine, and to all others by eaſie fine.

IX. **Stat.** 9 *R.* 3. 3. He in the reverſion ſhall have an Attaint, or Writ of *Error*, upon a falſe verdict found, or an erroneous Judgment given againſt the particular tenant.

X. If the oath be found falſe, or the Judgment erroneous, and the tenant ſtill in life, he ſhall be reſtored to his poſſeſſion and iſſues, and the reverſioner to the arrearages: but if he be dead, or be found of Covin with the demandant, the reverſioner ſhall have all; yet the tenant may traverſe the Covin by *ſcire facias* out of the Judgment or Writ of Attaint, if he pleaſe.

XI. **Stat.** 13 *R.* 2. 18. Upon a falſe verdict given before the Mayor and Bailiffs of *Lincoln*, an Attaint ſhall be ſued in the King's Bench or Common-Pleas, and the Jury ſhall be of the County of *Lincoln*, returned by the Sheriff of the ſaid County.

XII. **Stat.** 3 *H.* 5. 5. By letters Patents of *H.* 4. the name of *Bailiffs* of the City of *Lincoln* being tranſlated to *Sheriffs*, leſt it might be doubted which Sheriff ought to return the Jury in Attaint, the former Statute of 13 *R.* 2. 18. is explained and confirmed.

XIII. **Stat.** 11 *H.* 6. 4. The Plaintiff in Attaint ſhall recover againſt all the Jurors, Tenants, and Defendants, the coſts and dammages which he ſhall ſuſtain (by delay or otherwiſe) in that ſuit.

XIV. **Stat.** 15 *H.* 6. 5. No Sheriff, Bailiff, or Coroner in Writs of Attaint of Plea of Land, or of Deeds concerning Lands of the yearly value of 40 s. or more, or of goods or chattels perſonal worth 40 s. or more, ſhall impannel any but ſuch as inhabit within their Bailiwicks, and have free-hold or inheritance (not ancient Demeſne, within the five Ports, or Gavel-kind) worth 20 l. *per annum*, and ſhall not return againſt them leſs iſſues then 40 s. at the firſt Writ of diſtreſſes, 10 s. at the ſecond, and double afterwards, in pain to forfeit 100 l. to the King, and as much to the Plaintiff: And none but perſons of that worth ſhall be impannelled upon Attaints, if challenge thereof be made by the Plaintiffs.

XV. If any of the Defendants plead a forein plea, and fail thereof, the Juſtices ſhall give Judgment againſt them, as if the Grand Jury upon the Articles of the Writ had paſſed againſt them: Howbeit the reſt of the Defendants ſhall not be prejudiced thereby: neither ſhall this Act extend to Cities or Boroughs.

XVI.

XVI. If there ſhall not be in the County (under the degree of a Baron) enough of that worth to fill the pannel, then ſhall the ſaid Officers impannel and return the moſt ſufficient perſons there under that worth, upon the like pain.

XVII. **Stat.** 18 *H.* 6. 2. Owners of Inheritance or Free-hold lands in Gavel-kind of 20 l. *per annum*, may alſo be impannelled upon Attaints, notwithſtanding the Statute of 15 *H.* 6. 5.

XVIII. **Stat.** 11 *H.* 7. 21. None ſhall be impannelled upon a Jury in *London*, except he have lands and tenements, or goods and chattels worth 40 marks: and if the trial be for lands, or debt or dammages amounting to 40 marks, or above, his real or perſonal eſtate ſhall be worth 100 marks: and the Jurors defect herein is a principal challenge.

XIX. The iſſues of the Jurors for default of appearing ſhall be at the firſt ſummons 12 d. at the ſecond 2. s. and double afterwards; and the iſſues loſt in the Mayor's Court ſhall accrue to the Mayor and Commonalty, and thoſe loſt in the Sheriff's Court, to the Sheriffs.

XX. An Attaint may be ſued by Bill in the Huſtings of *London*, upon any falſe verdict given in any of the Courts of that City: And thereupon the Mayor ſhall award a Precept to every Alderman to preſent (either by themſelves or their Deputies) unto the ſaid Mayor at the next Huſtings the names of four indifferent and diſcreet Citizens out of each of their Wards, each of them being worth in eſtate 100 pounds at leaſt; out of which the Mayor and ſix Aldermen, or more, ſhall impannel 48, whom the Mayor ſhall cauſe to be ſummoned together with the Tenants or Defendants in the Attaint to appear at the next Huſtings: and if upon default of appearance or otherwiſe there ſhall need a *Tales*, the pannel ſhall be ſupplied out of the reſt preſented, or by other ſuch Citizens, at the diſcretion of the ſaid Mayor and ſix Aldermen.

XXI. Pleas of Attaints commenced in *London* ſhall be tried there by Inqueſts of the ſame City, and not elſewhere.

XXII. In an Attaint there, no challenge ſhall lie for lack of ſufficiency in eſtate.

XXIII. The Judgment in ſuch an Attaint ſhall not extend to lands or tenements, nor yet to other puniſhment of the petty Jury, or other proceſſes then ſuch as are limited by this Act.

XXIV. In ſuch an Attaint, if the petty Jury be attainted, Judgment ſhall be given againſt the Defendant, as at the Common Law, and againſt the petty Jury; to forfeit each of them 20 l. or more, at the diſcretion of the Court, to be employed as other penalties forfeited before them, and to ſuffer ſix moneths impriſonment, or

or leſs, at the like diſcretion of the Court, and to be for ever after diſabled to be a Juror.

XXV. But if the verdict be affirmed, the Grand Jury ſhall further inquire the corruption of the petty Jurors, and if any of them be found to have taken any reward, or promiſes thereof, he ſhall forfeit ten times the value thereof to the Plaintiff, and ſhall further incurr impriſonment, and diſability to be a Juror, as aforeſaid. The like forfeiture alſo and impriſonment ſhall be inflicted upon the Tenant or Defendant that ſhall give ſuch reward or promiſe; but this laſt forfeiture ſhall accrue to the City, in manner aforeſaid.

XXVI. If a debt, coſts or dammages are recovered in the firſt Action, (whereupon the Attaint is brought) and that verdict found falſe, the Plaintiff in ſuch Attaint may ſue for reſtitution of ſuch debt, coſts and dammages by Writ, Bill, or Plaint, in any of the King's Courts, wherein no wager of Law ſhall be admitted.

XXVII. In ſuch an Attaint, if the Plaintiff be non-ſuit, or the firſt verdict affirmed, the Plaintiff ſhall be impriſoned, and make fine (to the uſe of the City) at the diſcretion of the Court.

XXVIII. Where there are one or more Plaintiffs, if any of them die, or be non-ſuit, and albeit all the Tenants or Defendants and ſome of the petty Jury die, yet ſhall not the Attaint abate, ſo that two of that Jury remain in life.

XXIX. The Grand Jurors that make default ſhall forfeit for the firſt, forty ſhillings, for the ſecond, five pounds, and for every other afterwards, ten pounds.

XXX. Such proceſs ſhall be made againſt the Jurors and parties in this Attaint as is uſually made in Attaints at the Common Law, and ſhall be returnable at every Huſtings.

XXXI. The Attaint ſhall not remain to be taken after the firſt ſummons for the default of the Tenant or Defendant, or any of the petty Jury; neither ſhall any eſſoign be allowed in the ſame.

XXXII. When the trial is to be *per medietatem linguæ*, the Mayor and Aldermen ſhall impannel half ſtrangers, worth an hundred pound a piece.

XXXIII. **Stat.** 23 *H.* 8. 3. Upon every untrue Verdict before Judges of Record (except where the thing in demand extendeth not to the value of 40 l. or concerneth life) the party grieved ſhall have an Attaint againſt the petty Jury, and alſo againſt the party that hath the judgment thereupon.

XXXIV. The Proceſſes here ſhall be ſummons, re-ſummons, and diſtreſs infinite, as well againſt the petty Jury and party, as againſt the Grand Jury, who ſhall be of the accuſtomed number,

and have lands of the yearly value of 20 marks out of ancient demeſne.

XXXV. The diſtreſs ſhall be awarded 15 daies before the return thereof, and ſhall be made upon the land of every one of the Grand Jury, as is uſed in other diſtreſſes.

XXXVI. Albeit the Defendant, or petty Jury, or ſome of them appear not, yet the grand Jury ſhall proceed.

XXXVII. If any of the petty Jury appear, the Plaintiff ſhall aſſign the falſe ſerement, whereunto the petty Jury ſhall have no other anſwer (if they be the ſame perſons, and the Writ, Proceſſes, Return, and aſſignment be good) but that they made true ſerement, which ſhall be tried by 24 of the Grand Jury; unleſs the Plaintiff hath before been non-ſuit, or diſcontinued his ſuit, or had judgment againſt the ſame Jury for the ſame Verdict.

XXXVIII. Howbeit the Defendants may plead that they gave a true verdict, or any other matter which may barr the Attaint: but notwithſtanding ſuch plea, the Grand Jury ſhall nevertheleſs inquire whether the firſt Jury gave a true verdict or no.

XXXIX. If the petty Jury be found to have given an untrue verdict, they ſhall each of them forfeit 20 l. to be divided betwixt the King and the Plaintiff, and incurr ſeveral fines at the diſcretion of the Juſtices, and be ever after diſabled to give teſtimony in any Court.

XL. If the Defendant's plea in bar be found againſt him, the Plaintiff ſhall have judgment to be reſtored to that he loſt, with his reaſonable coſts and dammages.

XLI. Outlawry or Excommunication ſhall be no plea againſt the Plaintiff in Attaint; and in the aforeſaid proceſs ſuch day ſhall be given as in dower, but no eſſoign or protection allowed.

XLII. If the Grand Jury appear not, ſo that the petty Jurie's verdict remains untried, the defaulters ſhall upon the firſt diſtreſs forfeit 20 s. upon the ſecond 40s. and upon every default after 5 l. The like penalty is alſo to be inflicted upon the *Tales*.

XLIII. The Attaint is maintainable ſo long as any two of the petty Jury are alive.

XLIV. An Attaint ſhall alſo lie for a perſonal thing under the value of 40 l. in manner aforeſaid; ſave onely that in ſuch caſe the Grand Juror is to have lands worth 5 marks *per annum*, (out of ancient demeſn) or to be worth 100 marks in goods; and the forfeiture of each petty Juror ſhall be but 5 l.

XLV. For want of ſufficient Jurors in one County, a *Tales* ſhall be awarded into another County at the diſcretion of the Juſtices.

XLVI. An Attaint ſhall alſo lie for him in reverſion or remainder.

der. And alſo in Attaint if the Plaintiff be non-ſuit, or diſcontinue the ſuit, he ſhall be fined at the diſcretion of the Juſtices.

XLVII. All Attaints ſhall be hereafter taken in the King's Bench or Common Pleas, and not elſewhere; and *Niſi prius* ſhall be granted upon the diſtreſs at the diſcretion of the Juſtices: alſo any of the petty Jury may appear and anſwer by Attorney.

XLVIII. As concerning the forfeitures, the ſeveral moieties ſhall be recovered by the King and parties reſpectively by *Ca. ſa.* or *Fi. fa.* or *Elegit*, or Action of debt againſt each of the petty Jury, their Executors or Adminiſtrators, having then ſufficient goods of the Teſtators not adminiſtred.

XLIX. Judgment and Execution of reſtitution to the Plaintiff, and of diſcharge of reſtitution to the Tenant or defendant, ſhall be given and had, as in caſe of a grand Attaint hath been uſed.

L. The Non-ſuit or releaſe of one Plaintiff ſhall not prejudice his companions.

LI. In every writ of attaint after the *Teſte* theſe words ſhall be inſerted, *Per ſtatutum continuatum uſque annum* 23 *H.* 8. *Dei gratiâ*, &c.

LII. This act ſhall not be prejudicial to the Statute of 11 *H.* 7. 21. but every man for any untrue verdict in *London* may bring an Attaint upon this or that, at his pleaſure.

LIII. **Stat.** 37 *H.* 8. 5. Citizens of *London* being worth 400 marks in perſonal eſtate may be impannelled and returned by the Sheriffs of *London* upon Attaints there, albeit they have no real eſtates, notwithſtanding the Statute of 23 H. 8. 3.

LIV. The Juſtices ſhall hereafter ſit upon Attaints in *London* at *Guildhall*, or ſome other convenient place in that City, and not elſewhere; neither ſhall the Citizens there be compellable to appear upon any ſuch Attaint in any other place, notwithſtanding the ſaid Statute of 23 *H.* 8.

Attorney.

I. **Merton,** *Cap.* 10. 20 *H.* 3. Every Free-man that oweth ſuit to the County, Tithing, Hundred or Wapentake, or to a Court-Baron, may make an Attorney to doe his ſuit for him.

II. **Weſt.** 2. *Cap.* 10. 13 *E* 1. Any perſon may make a general Attorney to ſue in all Pleas, during the circuit of Juſtices in Eire: howbeit that ſhall not excuſe the party from being put upon Juries and Aſſiſes before the ſame Juſtices.

III. **Stat.** 7 *R.* 2. 14. They who ſhall depart the Realm with the King's licence, may before their departure have a Patent from

the Chancellor (with the advice of the Juſtices) inabling them to make general Attorneys to anſwer for them in Writs of *Præmunire facias*, and all other Writs and Plaints; in which Patent particular mention ſhall be made of Writs and Plaints of *Præmunire facias*: and thoſe Attorneys may make Attorneys under them.

IV. **Stat.** 4 *H.* 4. 18. All Attorneys ſhall be examined by the Juſtices, and by their diſcretion put into the Roll.

V. Thoſe that are by them approved ſhall ſwear truly to ſerve in their Offices, and to make no ſuit in a forein County. An inſufficient Attorney ſhall be put out by the like diſcretion of the Juſtices, and their Maſters or Clients ſhall have notice thereof, leſt they be prejudiced thereby.

VI. As any die or ceaſe, the Juſtices ſhall appoint others, being vertuous, learned, and ſworn, as aforeſaid.

VII. If an Attorney be found notoriouſly in fault, he ſhall forſwear the Court, and be never admitted into any other Court.

VIII. The Treaſurer and Barons of the Exchequer ſhall purſue the like courſe there at their diſcretion.

IX. **Stat.** 4 *H.* 4. 19. No Officer of a Lord of a Franchiſe which hath return of Writs, ſhall be an Attorney in the ſame.

X. **Stat.** 7 *H.* 4. 13. Impotent perſons that are out-lawed may make their Attorney: Howbeit in the Writ of *Capias ad ſatisfac'* the Common Law ſhall ſtill hold place.

XI. **Stat.** 33 *H.* 6. 7. There ſhall be but ſix common Attorneys in *Norfolk*, ſix in *Suffolk*, and two in *Norwich*, if that ſhall ſeem reaſonable to the Juſtices. *But it ſeems the Juſtices did not think it reaſonable, becauſe this Act was never yet put in ure.*

XII. **Stat.** 32 *H.* 8. *ca.* 30. Every Attorney ſhall enter his Warrant of Attorney in every ſuit upon record in Court, on pain of 10 l. and further puniſhment by impriſonment at the diſcretion of the Court.

XIII. **Stat.** 3 *Jac.* 7. An Attorney, Sollicitor or ſervant to any ſhall not be allowed any fees laid out for counſel or otherwiſe, unleſs he have tickets thereof ſigned by the hand of them that receive ſuch fees; and he ſhall alſo give unto his Client true Bills of all the charges of ſuit under his own hand, before he can charge his Client with the payment thereof.

XIV. If he delay his Client's ſuit for gain, or demand by his Bill more then his due fees and diſburſements, the Client ſhall recover againſt him his coſts and treble dammages, and he himſelf ſhall be for ever after diſabled from being an Attorney or Sollicitor any more.

XV. None ſhall be admitted Attorneys in Courts of Record but ſuch

ſuch as have been brought up in the ſame Courts, or otherwiſe well practiſed in ſolliciting of Cauſes, and alſo skilful and of honeſt diſpoſition, and none but ſuch ſhall be hereafter ſuffered to ſollicit Cauſes in any Court.

XVI. An Attorney ſhall not admit any other to follow a ſuit in his name, in pain that each of them ſhall forfeit twenty pounds to be divided betwixt the King and party grieved.

Avowry.

I. **Stat.** 21 *H.* 8. 19. Upon a Replevin ſued, an Avowry may be made by the Lord, or Conuſance, and juſtification by his Bailiff or ſervant, upon the land holden of the ſaid Lord, without naming any perſon certain to be tenant thereof. The like law is alſo upon every Writ ſued of ſecond deliverance.

II. In any *Replegiare* or ſecond deliverance for rents, cuſtoms, ſervice, or dammage feaſant, if the Avowry, Conuſance, or Juſtification be found for the Defendant, or the Plaintiff be non-ſuit, or otherwiſe barred, the Defendant ſhall recover ſuch dammages and coſts as the Plaintiff ſhould have had if he had recovered.

III. Both parties ſhall in ſuch Writs have like pleas, Aid, Prayers, and Joynders in Aid, as at the Common Law, notwithſtanding this Act, Pleas of *diſclaimer* onely excepted.

Banks.

I. **Magna Charta**, 9 *H.* 3. 15. No Town or Free-man ſhall be diſtrained to make Bridges or Banks, but ſuch as of old time and of right have uſed to make them in the time of King *Henry* our Grandfather.

II. **Magna Charta**, 9 *H.* 3. 14. No Banks ſhall be defended from henceforth, but ſuch as were in defence in the time of King *Henry* our Grand-father, by the ſame places and bounds as in his time.

III. **Stat.** 27 *Eliz.* 24. Juſtices of Peace in *Norfolk* ſhall take order for the repair of Sea-Banks and Sea-works within the ſame County.

IV. Every perſon ſhall be charged towards the repair of Sea-banks, as they are chargeable towards High-waies.

V. The High-Conſtables ſhall be ſurveyours of that work.

VI. Thoſe charged towards Sea-works ſhall be diſcharged towards the amendment of High-wayes.

Bankrupts.

I. **Stat.** 34 *H.* 8. 4. The Lord Chancellor, Treaſurer, *&c.* ſhall take order with Bankrupts bodies, lands and goods, for the payment of their debts. *But this was altered by the enſuing ſtatutes.*

II. **Stat.** 13 *Eliz.* 7. If any perſon (Subject or Denizon) exerciſing trade doth depart the Realm, conceal him or her ſelf, take Sanctuary, ſuffer him or her ſelf to be arreſted, out-lawed or impriſoned without juſt cauſe, to the intent to defraud Creditors, being alſo Subjects born, he ſhall be deemed a Bankrupt.

III. The Lord Chancellor or Keeper, upon complaint in writing againſt any ſuch Bankrupt, may appoint honeſt and diſcreet perſons to take ſuch order with the body of ſuch Bankrupt, whereſoever found, and alſo with the lands (as well Copy as Free,) hereditaments, annuities, offices, writings, goods, chattels and debts, whereſoever known, which the Bankrupt hath in his own right, with his wife, child or children, or by way of truſt to any ſecret uſe; and to cauſe the ſaid premiſſes to be ſearched, rented, appraiſed, and ſold for the payment of the Creditors rateably according to their debts, as in the diſcretion of ſuch Commiſſioners (or the moſt part of them) ſhall be thought fit.

IV. The Vendees of Copihold-lands ſhall compound with the Lord for their fines, and then ſhall be admitted, and make fealty according to the cuſtom of the Mannor.

V. Such of the Commiſſioners as execute the Commiſſion ſhall (upon the Bankrupt's requeſt) render him an account, and alſo the overplus (if any be) unto him, his Executors, Adminiſtrators, or Aſſigns.

VI. The Commiſſioners have power to convene before them any perſon accuſed or ſuſpected to have any of the Bankrupt's goods, chattels or debts, or to be indebted unto him, and for diſcovery thereof, to examine upon oath, or otherwiſe, as they (or the moſt of them) ſhall think fit.

VII. The perſon refuſing in that behalf to diſcloſe or ſwear, ſhall forfeit the double value of the goods, chattels, or debts ſo concealed, to be ordered and imployed by the Commiſſioners, (or the moſt part of them) as if they were the Bankrupts.

VIII. The perſon demanding or detaining any of the Bankrupt's lands, goods, chattels or debts (not juſtly due) ſhall forfeit

feit the double value, to be levied, recovered and employed as aforesaid.

IX. If after all the creditors are paid out of the Bankrupt's estate, and the forfeitures, any surplusage shall remain, it shall be by the Commissioners divided betwixt the Queen, her heirs and successors, and the poor of the place where such Bankrupt happens to be.

X. If any person indebted absent himself from his usual place of abode, upon complaint the Commissioners (or the most of them) shall award five Proclamations to be made upon five sundry Market-days near the said place, commanding him to render himself to the Commissioners, or one of them; which if he do not within convenient time, he shall be adjudged out of the Queen's protection, and the party wittingly receiving or concealing him shall (upon information of the Commissioners, or the most part of them) suffer such imprisonment, and pay such fine, as the Lord Chancellor or Keeper shall think fit.

XI. The Creditor not fully satisfied by this means, may (notwithstanding this Act) take his course at Law against the Bankrupt for the residue of his debt.

XII. The estate which happeneth to the Bankrupt by purchase or descent after he becomes a Bankrupt shall also be extendable by the Commissioners, or the more part of them.

XIII. This Act shall not extend to annual estates of Land (Free or Copy) by him conveyed before he became Bankrupt, so that they were so conveyed *bonâ fide*, and not to such as were privy to his fraudulent purpose.

XIV. **Stat.** 1 *Jac.* 15. Every Subject born, or Denizon, who using Trade shall depart the Realm, keep house, absent him or her self, take Sanctuary, suffer him or her self to be arrested for debt not justly grown due, to be outlawed, imprisoned, fraudulently procure his person to be arrested, or goods attached, depart from home, make any fraudulent grant of lands or goods, with intent to deceive his other Creditors, being Subjects born, or being arrested lie in prison six moneths or more, shall be adjudged a Bankrupt.

XV. The Bankrupt hereby described shall be proceeded against as is limited by the *stat.* of 13 *El.* 7. in like manner as if he had been there so fully described.

XVI. Any Creditor shall be received to take his part, if he come in within four moneths after the Commission sued out, and pay his part of the charge; otherwise the Commissioners may proceed to distribution.

XVII. If a Bankrupt grant his lands or goods, or transferr his debt into other mens names, except to his children upon marriage (they being of age to conſent) or upon valuable conſideration, the Commiſſioners may (notwithſtanding) ſell them, and ſuch ſale ſhall be good.

XVIII. If upon warning in writing left three times at the moſt uſual place where he dwelt within one year before he became Bankrupt he appear not before the Commiſſioners, they may cauſe him to be proclaimed at ſome publick place or places; and if upon five ſuch Proclamations he yield not himſelf, they ſhall by warrant cauſe him to be brought before them to be examined concerning his eſtate, &c.

XIX. If the Bankrupt ſhall refuſe to be examined, the Commiſſioners ſhall commit him until he conform: or if being examined he commit perjury in prejudice of the Creditors to the value of 10 l. or more, he ſhall be indicted for the ſame, and after conviction ſtand upon the Pillory, and have one of his ears nailed thereto, and cut off.

XX. If any perſon be known or ſuſpected to detain any of the Bankrupt's eſtate, and do not appear or ſend ſome lawful excuſe at the next meeting after warning given him, or appearing, refuſeth to be examined upon oath, the Commiſſioners by Warrant ſhall cauſe him to be arreſted, and if he ſtill refuſe, ſhall commit him until he ſubmit.

XXI. The witneſſes ſhall have convenient charges allowed them ratably by the Creditors, and ſuch of them as ſhall be perjured and their procurers ſhall be indicted upon the Statute of 5 *El.* 9 which ſee in *Perjury*.

XXII. The Forfeitures of this Act ſhall be recovered by the Creditors, and (the coſts of ſuit deducted) ſhall be ratably divided amongſt them.

XXIII. The Commiſſioners have power to aſſign the Bankrupt's debts to the Creditors, and by ſuch aſſignment they ſhall be recoverable by the Creditors, as their proper debts.

XXIV. No debtor ſhall be prejudiced by payment of his debt to the Bankrupt, before he have notice that he is a Bankrupt.

XXV. The Commiſſioners ſhall make ſuch account to the Bankrupt, and likewiſe pay him the overplus, as by 13 *El.* 7. is ordained; and the Creditors being all ſatisfied, the Bankrupt may recover the remaining debts.

XXVI. If any of the Commiſſioners, or other perſon imployed by them, be ſued for any act done by force of the Commiſſion, the Defendant may plead *Not guilty*, or juſtify, and the whole mat-

matter ſhall be brought in evidence, according to the very truth thereof; and if the Verdict paſs for the Defendant, he ſhall have his coſts.

XXVII. The Commiſſioners ſhall proceed to execution, notwithſtanding the death of the Bankrupt.

XXVIII. *Stat.* 21 *Jac.* 19. All Laws made againſt Bankrupts ſhall be beneficially conſtrued for the Creditors.

XXIX. All perſons of Trade, and Scriveners that procure protection, (except of Parliament) and all ſuch as by exhibiting Petitions endeavour to compel their Creditors to take leſs then their due debts, or to gain time for the payment thereof, or being indebted in 100 l. or more ſhall not ſatisfie the ſame within 6 months after the ſame grows due, and the debtor arreſted, or within ſix moneths after the original Writ ſued out, and notice given thereof, or left in writing at the place of his abode, or after arreſt lie ſix months in priſon, or eſcape out of priſon, or procure enlargement by putting in common Bail, ſhall be adjudged a Bankrupt; and in caſe of arreſt or impriſonment, from the time of the arreſt.

XXX. Commiſſions and other proceedings provided by 13 *El.* 7. and 1 *Jac.* 15. ſhall be alſo purſued againſt him that is deſcribed to be a Bankrupt by this Act; and proceedings provided by this Act ſhall be purſued againſt him that is deſcribed to be a Bankrupt by 13 *El.* 7. and 1 *Jac.* 15.

XXXI. The Bankrupt's wife ſhall alſo be examined upon oath, and if ſhe appear not, or refuſe to be examined, ſhe ſhall incur the puniſhment inflicted by the former Laws in like caſes.

XXXII. The Bankrupt that fraudulently concealeth his goods, or tendreth not ſome juſt reaſon why he became Bankrupt, ſhall after conviction be ſet upon the Pillory, and loſe one of his ears.

XXXIII. The Commiſſioners may by themſelves or others break open the Bankrupt's houſe, cheſts, *&c.* where his eſtate is, or is reputed to be, and then ſeize and order his body and eſtate, as by the former Laws is ordained.

XXXIV. In the diſtribution of the Bankrupt's eſtate, no more reſpect ſhall be had unto debts upon Judgment, Recogniſances, Specialties, with Penalties, or the like, then to other debts.

XXXV. The Commiſſioners may proceed, when the Bankrupt by fraud makes himſelf accomptant to the King.

XXXVI. Another mans goods in the Bankrupt's poſſeſſion and diſpoſition ſhall be alſo diſtributed by the Commiſſioners, as the Bankrupt's own goods.

XXXVII. The Commiſſioners grant of the Bankrupt's entailed lands

lands ſhall be good, except when the reverſion or remainder is in the King.

XXXVIII. Conditional Eſtates granted by the Bankrupt may be redeemed by the Commiſſioners, and afterwards ſold as his other Eſtate.

XXXIX. No purchaſer ſhall be impeached by this or the former Acts, unleſs the Commiſſion be ſued forth within five years after he becomes Bankrupt.

XL. This Act, as alſo all the former, ſhall extend to ſtrangers, (both Aliens and Denizons) as well as to Subjects born, as well to be relieved, as alſo to be ſubject to the penalty thereof.

XLI. **Stat.** 14 *Car.* 2. *ca.* 24. Whereas divers Noblemen and Gentlemen, not bred up in trade, have notwithſtanding put great Stocks into the *Eaſt-Indy* and *Guinny* Company, it is declared that no perſons adventurers for putting in Money or Merchandiſe into the ſaid Companies, or for adventuring or managing the fiſhing called the Royal fiſhing Trade, ſhall be taken or reputed a Merchant or trader within any Statutes for Bankrupts, or be liable to the ſame.

XLII. Provided that perſons trading and trafficking in any other way or manner then in the ſaid Companies or Fiſhing ſhall be liable to the Commiſſion of Bankrupts.

XLIII. A Verdict and Judgment againſt Sir *Jo. Wollaſton* as a Bankrupt for trading in the *Eaſt-Indy* Company reverſed and made void. Provided, not to avoid any Sale or diſpoſition of his lands or goods made by virtue of the Commiſſion of Bankrupts.

Barwick.

I. **Stat.** 22 E. 4. 8. Merchandiſe carried into or brought out of *Scotland*, or the Iſles thereof, ſhall be firſt brought to *Barwick*, in pain to forfeit the ſame.

II. The Burgeſſes and Free-men of *Barwick* onely ſhall have the ſelling of all Salmon taken in *Tweed*. And the Merchants and Free-men there ſhall have the Farm of the Waters Royal and fiſhings within the Seigniory there.

III. **Stat.** 1 *Jac.* 28. An Act for the Liberties of *Barwick*.

Baſtardy and Baſtards.

I. **Merton,** *cap.* 9. 20 *H.* 3. A child born before marriage is a Baſtard, albeit the common order of the Church be otherwiſe.

II. **Stat.** 9 *H.* 6. 11. No Writ ſhall be awarded to the Ordinary

nary to certifie Baſtardy, before three Proclamations be made in Chancery in three months, *viz.* once every moneth, that all perſons who have any thing to object againſt the party for Baſtardy ſhall ſue to the Ordinary for that purpoſe.

☞ III. **Stat.** 18 *Eliz.* 3. The two next Juſtices (1. *Qu.*) may take order as well for the puniſhment of the mother and reputed father of a Baſtard-child, as alſo for the relief of that Pariſh where it is born, by charging the ſaid mother and father with the ſuſtentation thereof by payment of money weekly, or otherwiſe.

IV. If the mother or father perform not the Juſtices order therein, they ſhall ſuffer impriſonment without bail, except he, ſhe or they give ſecurity to perform it, or elſe to appear at the next Qu. Seſſion, and alſo to abide the order of the greater part of Juſtices there, if any ſhall be there made; if not, then to perform that made by the two Juſtices.

☞ V. **Stat.** 7 *Jac.* 4. Juſtices of Peace ſhall commit to the houſe of Correction lewd women which have Baſtards that may be chargeable to the Pariſh, there to be puniſhed, and ſet on work one whole year: and if they offend again, they ſhall not be enlarged without giving good ſecurity to offend no more.

☞ VI. **Stat.** 21 *Jac.* 27. It ſhall be murther for a mother to conceal the death of her baſtard-child, unleſs ſhe can prove by one witneſs (at leaſt) that it was ſtill-born.

☞ VII. **Stat.** 3 *Car.* 4. All Juſtices of Peace within their ſeveral limits and Seſſ. may doe and execute all things concerning that part of 18 *El.* 3. which concerns Baſtards, that by the Juſtices of P. in the ſeveral Counties are by the ſaid Statute limited to be done.

VIII. Baſtards maintenance by the putative fathers and mothers: *See Title* Poor, *n.* XLVIII.

Battail and Grand Aſſiſe.

I. **Weſt.** 1. *Cap.* 40. 3 *E.* 1. Part of the oath in a Writ of right, or the Demandant's Champion, expunged.

Beaupleader.

Merton, *Cap.* 11. 52 *H.* 3. **Weſt.** 1 *cap.* 8. 3 *E.* 1. & 1 *E.* 38. No fines ſhall be hereafter taken in Circuits, Counties, Hundreds, or Court-Barons, for fair pleading.

Bene-

Benevolence.

I. **Stat.** 13 *Car.* 2. *ca.* 4. A free and voluntary preſent to his Majeſty, with power to iſſue Commiſſions for receiving ſubſcriptions, upon which Proceſs for levying the ſame ſhall not iſſue but within two years after this Act. No perſon not being a Peer may ſubſcribe above 200 l. nor any Peer above 400 l. And no Commiſſion on this Act to be of force after the 24 of *June* 1662.

II. Declared, that no Commiſſion or aids of this nature can be iſſued or levied, but by authority of Parliament.

See Title Taxes, &c.

Biſhops and Biſhopricks.

I. **Stat.** 1 *E.* 3. *Stat.* 2. *cap.* 2. The King ſhall not cauſe to be ſeiſed into his hands the Temporalties of any Biſhop.

II. **Stat.** 14 *E.* 3. *Stat.* 3. *pro Clero, cap.* 3. The Temporalties of Biſhops or other people of Holy Church ſhall not be ſeiſed into our hands without juſt cauſe.

III. **Stat.** 25 *E.* 3. *Stat.* 3. *pro Clero, cap.* 6. A Biſhop's Temporalties ſhall not be ſeiſed into the King's hands for a contempt, but he ſhall hereafter in ſuch caſe pay a reaſonable fine.

IV. **Stat.** 26 *H.* 8. 14. *Thetford, Ipſwich, Colcheſter, Dover, Gilford, Southampton, Taunton, Shaftesbury, Molton, Marlborough, Bedford, Leiceſter, Gloceſter, Shrewsbury, Briſtol, Penreth, Bridgewater, Nottingham, Grantham, Hull, Huntington, Cambridge, Pereth, Barwick, St. German's* in *Cornwall*, and the *Iſle* of *Wight*, ſhall be Sees of Biſhops Suffragans, and the Biſhops of ſuch Sees ſhall be called Suffragans of this Realm.

V. The Biſhop ſhall by Petition preſent to the King two perſons to be his Suffragans, whereof the King ſhall allow one, who ſhall thereupon be called Biſhops-Suffragan of that See, and ſhall by the King's Letters Patents be preſented to the Arch-biſhop of the reſpective Province to be conſecrated to the dignity of that Office, which the Arch-biſhop ſhall doe within three moneths after the receit of ſuch Letters Patents.

VI. The Suffragan ſhall not exerciſe any greater authority, nor make any other benefit, then what is limited unto him by Commiſſion from the Biſhop of the Dioceſs, in pain to incurr a *Præmunire*.

VII. The Suffragan himſelf, or the Biſhop that preſents him to the King, ſhall at their own coſts provide two Biſhops or Suffragans

gans to conſecrate the Suffragan with the Arch-biſhop.

VIII. The Suffragan's reſidence over the Dioceſs ſhall be ſufficient for his benefice, and a Suffragan may have two benefices with Cure.

IX. **Stat.** 1 *E.* 6. 2. The Writ of *Conge d' elire* ouſted, and none but the King (by his Letters Patents) ſhall collate to an Arch-biſhoprick or Biſhoprick.

X. An Arch-biſhop, Biſhop or Suffragan collated by the King ſhall pay all uſual Fees.

XI. All Proceſs Eccleſiaſticall ſhall be in the King's name, but the *Teſte* in the name of the perſon having Eccleſiaſtical Juriſdiction; and when they iſſue from the Commiſſary, Official, or other Subſtitute, he ſhall ſubſcribe his name after the *Teſte*.

XII. The ſeal of Office belonging to any ſuch perſon ſhall have the King's Arms engraven upon it, with Characters under them to notifie the Dioceſs, and he ſhall not uſe any other Seal, in pain of impriſonment during the King's pleaſure.

XIII. Provided, that no more or other Fees be taken for ſuch Seal then as before; and that the Arch-biſhop of *Canterbury* may uſe his own ſeal and name for Faculties and Diſpenſations, according to the Statute of 25 *H.* 8. 21. and alſo that Arch-biſhops and Biſhops may make and order their Subſtitutes, and may alſo iſſue Commiſſions of Suffragans, Certificates to the Court of Tenths, Collations, Preſentations, Gifts, Inſtitutions, Inductions, Letters of Order or Dimiſſories under their own names and Seals, as in times paſt.

XIV. Certificates into a Court of Record ſhall be in the King's name, under the Biſhop's Seal, engraven with the King's Arms, as aforeſaid, *Teſte* the Biſhop.

XV. *But note that this Statute was repealed by* 1 M. 2. *and that Act of* M. *is afterwards repealed by* 1 Jac. 25. *Yet* quære *whether this Statute of* 1 E. 6. 2. *be now in force.*

XVI. **Stat.** 3. *E.* 6. 1. The form of conſecrating Biſhops and Prieſts is eſtabliſhed, being compriſed in a book compiled by ſix Prelates and ſix other appointed by the King; *which Statute ſee in* Service and Sacraments.

But note that this Act was alſo repealed by 1 M. 2. *as the other next before.*

XVII. **Stat.** 1 and 2 *P.* & *M.* 8. All Biſhops are confirmed. *Which ſee in* Rome.

XVIII. **Stat.** 8 *Eliz.* 1. The Statute of 1 *El.* 1. touching the book of Common Prayer and Adminiſtration of the Sacrament is confirmed.

XIX.

XIX. The Statute of 5 and 6 *E.* 6. 1. touching the form of conſecrating Arch-biſhops and Biſhops, and the making of Prieſts, Deacons and Miniſters, and all acts done concerning the conſecrating of Biſhops by force of the Queen's Commiſſion, are alſo confirmed.

XX. Provided, that no perſon ſhall be impeached by any Certificate of any Biſhop heretofore made, touching the oath of Supremacy made 1 *El.* 1.

XXI. What Leaſes made by Biſhops be good, *See Title* Leaſes, *num.* 9.

XXII. **Stat.** 39 *El.* 8. Deprivations of Biſhops and Deans in the beginning of the Queen's Reign ſhall be good; and ſuch as have been made ſince the Queen's time ſhall be lawful.

XXIII. **Stat.** 1 *Jac.* 3. All aſſurances of Biſhops lands to the King ſhall be void.

See Title Courts and Juriſdictions Eccleſiaſtical.

Books and Images.

I. **Stat.** 25 *H.* 8. 15. None ſhall buy Books to ſell again, which are brought from beyond Sea ready bound, in pain to forfeit for every book 6 s. 8 d.

II. None ſhall buy of a ſtranger (that is no Denizon) any printed books brought from beyond Sea, except in groſs, upon the like pain.

III. The forfeitures ſhall be levied of the buiers, and divided betwixt the King and the proſecutor.

IV. The prices of books increaſed to unmeaſurable rates ſhall be qualified by the Chancellor, Treaſurer, and two chief Juſtices, or any two of them.

☞ V. **Stat.** 3 and 4 *E.* 6. 10. Popiſh books are aboliſhed, and Images taken out of or yet remaining in Churches ſhall be deſtroyed: But Quære, *whether this Statute be in force, becauſe repealed by* 1 M. 2. *For albeit* 1 M. *afterwards be repealed by* 1 Jac. 25. *yet becauſe the Statute of* E. 6. *was once repealed, and not ſince revived by ſpecial words, it may be doubted whether it be now in force.*

VI. **Stat.** 14 *Car.* 2. *ca.* 33. An Act for preventing the abuſes in printing ſeditious, treaſonable and unlicenſed Books and Pamphlets, and for regulating Printing and Printing-preſſes: the ſaid Act to continue for 2 years from the 10th of *June* 1662. and no longer.

VII. **Stat.** 16 *Car.* 2. *ca.* 6. The Act for preventing the abuſes

ſes in printing ſeditious and unlicenced books and pamphlets, &c. continued until the end of the next Seſſion of Parliament.

VIII. **Stat.** 16 and 17 *Car.* 2. *ca.* 7. continued until the end of the next Seſſion of Parliament.

Bows and Bowſtaves.

I. **Stat.** 12 *E.* 4. 2. Four Bowſtaves ſhall be brought into this Realm for every Tun of Merchandice brought in by any Merchant ſtranger from any place from whence Bowſtaves have been formerly brought, in pain of 6 s. 8 d. for every Bowſtave whereof default is ſo made.

II. Search and ſurvey ſhall be made of ſuch Bowſtaves by the head-Officer where the Ship, &c. lands, who ſhall have power to appoint officers for that purpoſe.

III. **Stat.** 1 *R.* 3. 11. Ten Bowſtaves ſhall be brought into this Kingdom for every Butt of Malmſey or Tyre, in pain of 13 s. 4 d. for every Tunn.

IV. Bowſtaves ſhall not be ſold ungarbled, but to a Subject born.

☞ V. **Stat.** 8 *Eliz.* 10. A Bowyer dwelling in *London*, or the ſuburbs, ſhall have always ready 50 Bows of Elm, Witch-haſel, or Aſh, well made and wrought, in pain of 10 s. for every Bow failing of that number, to be divided betwixt the King and the proſecutor, who muſt be an Armourer, Fletcher or Bow-ſtring-maker.

VI. No Bowyer ſhall ſell a Bow of outlandiſh Elm of the beſt ſort for above 6 s. 8 d. of the ſecond ſort above 3 s. 4 d. and of the worſt ſort above 2 s. nor one made of *Engliſh* Elm above 2 s. in pain to forfeit for every Bow otherwiſe ſold 40 s. to be divided betwixt the King and any of the aforeſaid Artificers that will ſue for the ſame.

* VII. **Stat.** 13 *Eliz.* 14. The Statute of 12 *E.* 4. confirmed.

VIII. All Merchant-ſtrangers bringing wares from the Eaſt-parts, as well as from the 27 Hanſe-towns, ſhall be bound by the laid Statute of 12 *E.* 4. 2. under the pains therein contained, to be divided betwixt the King and the proſecutor.

Braſs, Laten, Copper, Bel-metall, Pewter, &c.

* I. **Stat.** 19 *H.* 7. 6. None ſhall ſell or change Braſs ſave onely in open Fairs and Markets, or in their own houſes, (except they be deſired by the buyer of ſuch wares) in pain of 10 l.

II. None

II. None ſhall caſt, or work braſs or pewter, but according to the goodneſs of metal wrought in *London*, in pain to forfeit the one moiety thereof to the King, and the other to the finder.

III. Hollow ware of pewter, called Lay-metall, ſhall be wrought after the aſſiſe of Lay-metall in *London*, and ſhall be marked, in pain to forfeit the ſaid wares, or (being ſold) the price thereof, which ſhall be divided as aforeſaid.

IV. None ſhall uſe (in the ſelling of braſs or pewter) any falſe beams or weights, in pain to forfeit 20 s. to be divided as above; and in caſe he be not able to pay it, he ſhall be (by the Head-officer) committed to the ſtocks, till the next Market-day, and then ſtand upon the Pillory.

V. Searchers of braſs and pewter in every City and Borough ſhall be appointed by the Head-officers of the ſame, and in every County by Juſtices of Peace, at their *Mich.* Seſſ. and in default of ſearchers in Cities and Boroughs, any other perſon (skilful in that Myſtery) by over-ſight of the Head-officers may take upon him the ſearch of defective braſs, which ſhall be equally divided as aforeſaid.

VI. **Stat.** 4 *H.* 8. 7. The **Stat.** of 19 *H.* 7. 6. is confirmed: And beſides, it is enacted, that in Cities and Boroughs ſearch of defective tinn and pewter ſhall be made by the Wardens of the Craft of Pewterers; and in Towns where no Wardens are, ſearchers ſhall be appointed by the Head-officers there, which ſaid defective ware ſhall be forfeited, and divided, as in the former Statute.

VII. **Stat.** 25 *H.* 8. 9. None ſhall buy, or take by way of exchange, any wares made of tinn or pewter out of the Realm, in pain to forfeit them, and alſo the value thereof in money.

VIII. Officers may ſearch and ſeize wares brought into this Realm, contrary to this Act.

IX. No ſtranger born ſhall work any pewter or tinn in *England*, in pain to forfeit the ſame.

X. No Pewterer ſhall teach his Trade in a forein Nation, in pain to loſe the priviledge of an *Engliſhman*.

XI. Licenſes and Placards to wandring Braziers and Pewterers ſhall be void.

XII. The penalty of 10 l. mentioned in 19 *H.* 7. 6. and thoſe likewiſe of this preſent Act, ſhall be equally divided betwixt the King and the finder.

XIII. **Stat.** 33 *H.* 8. 4. The Statute of 25 *H.* 8. 9. is made perpetual.

XIV. None ſhall withſtand the ſearch of braſs, tinn, pewter, &c.

in

in pain of 5 l. to be divided as in the former Statute.

XV. **Stat.** 33 *H.* 8. 7. None ſhall convey out of this Realm Braſs, Copper, Laten, Bell-metal, Pan-metal, Gun-metal, or Shrooff-metal, clean or mixed (Tin and Lead onely excepted) in pain to forfeit the double value, to be divided betwixt the King and the proſecutor.

XVI. The landing thereof in forein parts ſhall be tried and determined in the County where it was ſhipped.

XVII. None ſhall tranſport ſuch metall from one part of the Realm to another, before he hath acquainted the Cuſtomer where the Ship is with the true weight thereof, and alſo give him bond to the King's uſe of the double value thereof, with condition to land it in ſome part of the Realm, in pain to forfeit the ſame, in manner and form aforeſaid; and ſhall alſo, within eight moneths after, bring from the Cuſtomer of the place where he lands it a certificate of the landing thereof, which Cuſtomer ſhall give him or his Factor ſuch certificate without delay.

XVIII. The Cuſtomer that makes a falſe certificate in ſuch caſe ſhall loſe his place, and the value of the goods ſo concealed.

XIX. If the goods be diminiſhed by tempeſt, enemies, or pirates, upon due proof thereof made to the Cuſtomer by the party, his executor, or, *&c.* his bond ſhall be re-delivered, or otherwiſe diſcharged.

XX. **Stat.** 2, and 3 *E.* 6. 37. The penalty of 10 l. for every thouſand weight is added to the forfeiture of the double value of metall tranſported contrary to the *Stat.* of 33 *H.* 8. 7.

XXI. Alſo 10 l. for every thouſand weight ſhall be added to the double value of the goods, and the total thereof put into the Bond to be made to the Cuſtomer, according to the *Stat.* of 33 *H.* 8. 7. which Bond if it want a date, the Cuſtomer ſhall forfeit his place, and the value of the goods ſhipped.

XXII. If any Officer of the Ship ſuffer any ſuch metall to be ſhipped, and do not diſcloſe it within three days, he ſhall forfeit the double value thereof; or if any Cuſtomer or ſearcher having notice thereof, do not ſeiſe it to the King's uſe, he ſhall loſe his office, and the value of the metall.

XXIII. None ſhall lade ſuch metall but where there is a Cuſtomer, in pain to forfeit 10 l. and the metall.

XXIV. The forfeitures are to be divided betwixt the King and proſecutor.

XXV. The Statute of 33 *H.* 8. 7. in all points not altered by this is confirmed.

Breakers of Leagues and Truce.

I. **Stat.** 2 *H.* 5. 6. In every port (beſide the Cinque-ports) there ſhall be a Conſervator of the Truce, worth in land 40 l. *per annum* at leaſt, who, by the King's Letters Patents and the Admiral's Commiſſion, ſhall have power to enquire of (by inqueſt) and inflict puniſhment for offences done upon the Sea againſt Truce and falſe conducts, in like manner as the Admirals have heretofore uſed to doe: Howbeit, the death of a man is reſerved to the Admiral.

II. The Conſervator hath power to award proceſſes againſt the offenders, (*viz. Capias* and *Exigent*) wherein the additions of the parties indicted ſhall truly be inſerted; and alſo by himſelf or his Lievtenant to hear and determine differences betwixt party and party concerning Truce and falſe conducts.

III. The Conſervator ſhall have two men learned in the Law joyned in Commiſſion with him as his aſſociates, and both he and they ſhall be ſworn to take no fee, gift, *&c.* ſave of the King onely; and if any be offered them, that they forthwith diſcover it to the King or his Councellor, in pain of impriſonment and fine.

IV. The Conſervator ſhall be reſident upon the place where he is appointed Conſervator, and ſhall have for his fee 40 l. *per annum* at leaſt; and a Seal of the King's proper for his Office.

V. Every Maſter of a Ship (and Owner too, if he be preſent) ſhall before he departs the Port be ſworn before the Conſervator, not to attempt any thing againſt the Truce, and the Conſervator ſhall record the name of ſuch Maſter and Owner, and alſo of the Ship, together with the number of the Mariners: and if they take any thing from the Enemy, the Conſervator ſhall be acquainted therewith before diſcharge or ſale, if for ſome reaſonable cauſe the Ship entred not ſome other Port; then they muſt procure from the Conſervator there a teſtimonial under Seal of the goods taken, and their value to be ſhewed to the Conſervator of the Port from whence they firſt came. And all this they muſt doe, in pain to forfeit the Ship, and ſuffer impriſonment untill they make fine and ranſom to the King.

VI. Provided, that no poſſeſſor of a Ship ſhall ſuffer impriſonment, or make fine, unleſs he was preſent in the Ship when the offence was committed.

VII. The Admiral ſhall have all forfeitures out of the Cinque-ports, as before hath been uſed.

VIII. Conſervators to be made within the Cinque-ports by the King's Letters Patents and the Warden's Commiſſion ſhall alſo have like

like power within that Franchiſe, and the Warden ſhall have the forfeitures there, as in times paſt: Howbeit the death of a man is reſerved to the Warden.

IX. Stat. 4 *H.* 5. 7. If any with whom Truce is broken at Sea complain thereof to the Keeper of the Privie Seal, he ſhall have Letters of Requeſt under the Privie Seal; and if thereupon the offender makes not reſtitution, he ſhall have Letters of Mart granted him under the Great Seal.

X. Stat. 14 *E.* 4. 4. The former Statutes are confirmed.

Bridges.

I. Stat. 1 *H.* 8. *ca.* 9. An Act for *Stanes* Bridge, *Comitat. Middleſex.*

II. Stat. 8 *H.* 6. 28. An Act for the making *Burford* and *Culhamford* Bridges.

III. Stat. 22 *H.* 8. 5. Four Juſtices (1 *Qu.*) ſhall in Seſſions inquire, hear and determine the annoiances of Bridges, and of the High-waies adjoyning within 300 foot next unto the ſaid Bridges, and ſhall alſo charge ſuch as ſhould repair them by ſending forth proceſſes, and ſetting pains, as they ſhall think fit.

IV. When it cannot be known what Precinct ſhall repair a Bridge or Way, they ſhall be repaired by the County, Riding, or Corporation, within which they are ſituate, and if they happen to be ſituate in two of ſuch Precincts, the inhabitants there ſhall repair their ſeveral parts reſpectively.

V. The ſaid four Juſtices have power to call before them the Conſtables, or two able men of every Pariſh, and by their aſſent to make a tax, and to appoint Collectors to levy the ſame by diſtreſs and ſale, and alſo to appoint Surveyours of ſuch decayed Bridges and Wayes, unto whom the Collectors ſhall pay the money levied; which ſaid Collectors and Surveyors ſhall render an account unto the ſaid Juſtices, upon pain of impriſonment without bail.

VI. The Juſtices may in this caſe ſend proceſs out of their juriſdiction, which the Officers to whom it is directed ſhall obey and ſerve, in pain to be fined by the ſaid Juſtices.

VII. This Act ſhall not extend to the five Ports, nor to the members of the ſame: ſave onely that their Officers ſhall have ſuch power to reform annoyances of Bridges and Wayes there, as the Juſtices of Peace have elſewhere by force of this Act.

VIII. The Juſtices ſhall allow to the Collectors and Surveyours their reaſonable charges.

IX. Stat. 18 *Eliz.* 17. A good Law for the maintenance.

of *Rocheſter* bridge in *Kent*. See the Statute.

X. **Stat.** 18 *Eliz.* 20. An Act for the repair of bridges and high-ways within one mile of *Oxford*. See it at large.

XI. **Stat.** 23 *Eliz.* 11. An Act for the re-edifying and maintenance of the bridges over *Toffe*, near *Cardiff*, in the County of *Glamorgan* in South-*Wales*.

XII. **Stat.** 27 *Eliz.* 25. Another Act for the repair of *Rocheſter* bridge.

XIII. **Stat.** 39 *Eliz.* 23. An Act for the making and repairing of *Newport* and *Carlion* bridges over the River *Uſk*.

XIV. **Stat.** 39 *El.* 24. An Act for the building of a Bridge at *Wilton* upon *Wye*, in the County of *Hereford*, near *Roſs*, and what Pontage ſhall be there taken.

XV. **Stat.** 43 *Eliz.* 16. An Act for the erecting and repairing of *Edon* and *Presberk* bridges in *Cumberland*.

XVI. **Stat.** 3 *Jac.* 23. An Act for new making and repairing of *Chepſtow* bridge.

XVII. **Stat.** 3 *Jac.* 24. An Act for the building of *Upton* bridge over *Severn* in *Worceſter-ſhire* within three years. *Exp.*

XVIII. **Stat.** 14 *Car.* 2. *ca.* 6. A clauſe for repairing and maintaining a bridge called *Foot-bridge*, in ſtead of another called *Rey-bridge* in *Wiltſhire*.

XIX. *Proviſo*, touching *Stratford* bridge in *Hallingdon* in the County of *Suſſex*.

XX. The Surveyors of the high-ways are to ſee that all Bridges have ſufficient walls, poſts or railes four foot high.

☞ Brokers.

* I. **Stat.** 1 *Jac.* 21. The ſale of goods wrongfully gotten to any Broker in *London*, *Weſtminſter*, *Southwark*, or within two miles of *London*, ſhall not alter the property thereof.

II. If a Broker, having received ſuch goods, ſhall not upon the requeſt of the true owner truly diſcover them, how and when he came by them, and to whom they are conveyed, he ſhall forfeit the double value thereof to the ſaid owner.

III. This Act ſhall not prejudice the ancient Trade of Brokers in *London*, being ſelected and ſworn for that purpoſe; it being onely intended againſt Fripers and pawn-takers, who for the moſt part keep open ſhop.

Burn-

☞ Burning of Carts and Wood, cutting of Dams, Heads of Ponds, Conduits, Pipes, Tongues, and Ears, and Barking of Trees.

*I. **Stat.** 3.7 *H.* 8. 6. If any maliciously and willingly cut the head of a Pond, burn a Cart laden, a heap of wood prepared for coal, cut out the tongue of any tame beast being alive, or the ear or ears of any person, or bark any fruit-trees; for every such offence, he shall lose treble dammages to the party grieved, and pay 10 l. to the King.

☞ Butchers.

* I. **Stat.** Of Bakers and Brewers, *cap.* 7. 31 *E.* 1. A Butcher that sells Swines-flesh mezeled, or dead of the murrain; for the first offence he shall be amerced, for the second have the Pillory, for the third be imprisoned and make fine, for the fourth abjure the Town.

II. **Stat.** 4 *H.* 7. 3. No Butcher shall kill any flesh in his Scalding-house, or within the walls of *London*, in pain to forfeit for every Ox so killed 12 d. and for every other beast 8 d. to be divided betwixt the King and the prosecutor.

III. The same Law shall extend to all other walled Towns, and to *Cambridge*, *Barwick* and *Carlile* onely excepted.

* IV. **Stat.** 15 *Car.* 2. *cap.* 8. No person using the trade of a Butcher shall at any time after *Michaelmas* next sell, offer or expose to sale, by himself or any servant or agent, any fat Oxen, Steers, Runts, Kine, Heifers, Calves, Sheep or Lambs alive, upon pain of forfeiture of double the value thereof, one moiety to the King and his heirs, the other moiety to him who shall sue for the same in any of his Majestie's Courts of Record, wherein no Essoin, Protection or Wager of Law shall be allowed.

See more under the Title of Calves *and* Cattel: *And see* Tanner *n.* 25. *Also see Title* Victuallers.

Butler of the King.

I. **Stat.** 25 *E.* 3. *cap.* 21. The Steward of the house and Treasurer of the Wardrobe shall give notice how much wine shall be taken by the Butler or his Lievtenant in every Port, which number shall not be exceeded.

II. A Certificate ſhall be made by the Mayor and Bailiffs there, under their ſeals, by Indenture betwixt them and ſuch takers of wine to the ſaid Steward and Treaſurer, how much wine is ſo taken.

III. If the Butler, or his Lievtenant, take more wine, or any reward, or delay any by colour of his office (as by arreſt) he ſhall forfeit double dammages to the party grieved, loſe his office, be impriſoned, and be ranſomed at the King's will.

* IV. **Stat.** 43 *E.* 3. 3. The King's Butler or his Lievtenant ſhall take no more wine then he ſhall be commanded, in pain to be impriſoned, and ranſomed at the King's will: and after ten days, the merchant may ſell the reſidue, notwithſtanding their arreſt.

☞ Butter and Cheeſe.

I. **Stat.** 3 *H.* 6. 4. The Lord Chancellor may grant licence under the Great Seal to any to convey Butter and Cheeſe to any other place beſides the Staple, which then was of *Calais*.

II. **Stat.** 18 *H.* 6. 3. Butter and Cheeſe may be conveyed to any place out of the Realm (being in the King's amity) without licence.

* III. **Stat.** 3 and 4 *E.* 6. 21. None (except Inholders and Victuallers in their houſes) ſhall buy any Butter or Cheeſe to ſell again, ſave onely by retail in open Shop, Fair or Market; and ſo, not above a Wey of Cheeſe or a Barrel of Butter at one time, without fraud, in pain to forfeit the double value, to be divided betwixt the King and the proſecutor.

* IV. **Stat.** 21 *Jac.* 22. The Statute of 3 and 4 *E.* 6. 21. and ſo much of the Statute of 5 and 6 *E.* 6. 14. as concerns the buying and retailing Butter and Cheeſe, (which ſee in *Fore-ſtallers*) ſhall not extend to the retailers of Cheeſe in *London*, *Weſtminſter*, or *Southwark*, having ſerved ſeven years in that Trade, not uttering above four wey of Cheeſe, or four barrels of Butter at one time, without fraud.

V. Juſtices of Peace in Seſſions have power to reſtrain the retailing of Butter and Cheeſe, during which reſtraint, thoſe that retail ſhall be liable to the penalties of 3 and 4 *E* 6. 21. and 5 and 6 *E.* 6. 14.

*VI. **Stat.** 14 *Car.* 2. *ca.* 26. Every kilderkin of Butter ſhall contain 132 pound, the Cask 20 l. the Firkin 56 of good butter, the Pot 14 pound, beſides the Casks and Pots; and Farmers ſhall uſe no fraudulent dealings in packing, weighing with unwarrantable weights, mixing old, bad and decayed butter with new, or whey butter, or un-

unreaſonably ſalting the ſame, and a cask of butter ſhall be of the ſame ſort, upon pain of forfeiture of the value of the butter falſe packed, and ſix times the value of what ſhall be wanting in weight.

VII. Cheeſemongers and others ſelling butter ſhall deliver the full quantity of Kilderkins, Firkins, Casks and Pots, and the due quality thereof: and none ſhall repack butter for ſale, upon forfeiture of the double value for ſuch repacking.

VIII. Farmers and others ſhall pack their butter in ſufficient and well-ſeaſoned Casks, which ſhall be marked with the firſt letters of the Chriſtian-names and Surnames of the ſellers, and the weight of the butter, upon penalty of forfeiture of 10 s. for every 100 weight of butter not ſo marked.

IX. Potters ſhall mark their pots with their names, and the weight of the Pot, and ſet the firſt letter of their Chriſtian name and Surname at length, upon pain for every default 12 d. and farmers ſhall not ſell butter packed in other pots, upon pain of 2 s. for every default.

X. Offences againſt this Act ſhall be heard and determined in the Seſſions of the Peace for the County, City or liberty where committed, by action of Debt, Indictment, Information or Preſentment: and one half of the penalty to the poor of the Pariſh where the offence is committed, to be paid to the Church-wardens or Overſeers, the other half to the Proſecutor.

XI. All Suits upon this Act ſhall be commenced within 4 months after the ſale of ſuch butter.

Cables, Halſors, and Ropes.

I. Stat. 21 H. 8. 12. AN Act for true making of Cables, Halſors, and Ropes in *Burport*, and within five miles thereof. *See the Statute at large.*

* II. Stat. 35 *Eliz.* 8. None ſhall make, or cauſe to be made, any Cables of old ſtuff, which ſhall contain ſeven inches in compaſs, in pain to forfeit four times the value of every Cable ſo made: neither ſhall any tar, or cauſe to be tarred, any Halſors, or other Cordage made of old ſtuff, being of leſſer Aſſiſe, nor put the ſame to ſale; in pain to forfeit the treble value of every ſuch Cable, Halſor, or other Cordage of leſſer Aſſize then ſeven inches made and tarred as aforeſaid.

III. The ſaid forfeitures are to be divided betwixt the Queen and the proſecutor.

☞ Calves, and other Cattel.

I. **Stat.** 3, and 4 *E.* 6. 19. No Cattel ſhall be bought but in open Fair or Market, and thoſe not ſold again in the ſame Fair or Market, in pain to forfeit the double value.

II. No Butcher ſhall buy any Cattel, and ſell the ſame again alive, in pain to forfeit them.

* III. **Stat.** 2 and 3 *P.* and *M.* 3. He that keepeth above 120 ſheep or 20 beaſts upon every paſture-ground apt for Milch-kine, and not commonable, ſhall yearly for every 60 ſheep, or 10 beaſts, keep one Milch-cow, and for every 120 ſheep, or 20 beaſts, rear up one Calf, in pain to forfeit for every Cow or Calf not ſo kept or reared 20 s. *viz.* the one half to the King and Queen, and the other to the proſecutor, if he commence his ſuit within one year after the offence committed.

IV. Juſtices of Peace in Seſſ. have power to hear and determine the breach of this Statute.

V. This Act ſhall not binde ſuch as keep ſheep or feed beaſts onely for their own proviſion.

VI. **Stat.** 7 *Jac.* 8. The Statute of 2 & 3 *P.* and *M.* 3. ſhall alſo extend to grounds, which ſince the ſaid Act have been or ſhall be made ſeveral. *See more Title* Butchers.

Cambridge, and Cambridge-ſhire.

I. **Stat.** 34, 35 *H.* 8. 24. An Act for the aſſurance of certain lands to *John Hinde* (then Serjeant at Law) and his heirs, paying yearly 10 l. toward the charges and wages of the Knights of the Parliament for *Cambridge-ſhire* for ever.

II. **Stat.** 35 *H.* 8. 15. An Act for paving the ſtreets in *Cambridge*. *See theſe Statutes at large.*

☞ Captains and Souldiers.

I. **Stat.** 5 *R.* 2. 10. The Covenants of ſuch as ſhall ſerve the King in his Wars or Embaſſies ſhall be recorded in the Exchequer, as alſo the repeal of their retinue, to the end a juſt account may be thereupon had, if need be.

* II. **Stat.** 18 *H.* 18. No Captain ſhall detain any part of his Souldi-

Souldiers wages, in pain to forfeit to the King 20 l. for every Spearman, and 10 l. for every Bow-man.

III. Howbeit, if they have been waged half a year, the Captain may detain 10 s. for the gown of a Gentleman, and 6 s. 8 d. for that of a Yeoman.

*IV. **Stat.** 18 *H.* 6. 19. It is felony for a Souldier (retained to ſerve the King in his Wars) not to go with, or to depart from, his Captain without licence.

V. Officers ſhall arreſt ſouldiers, who within the term limited come on this ſide the Sea without letters teſtimonial of their Captain, and ſhall retain them until the cauſe of their return be tried.

VI. Juſtices of Peace have power to hear and determine thoſe offences. *Vide Co.* 6. 27.

VII. **Stat.** 7 *H.* 7. 1. A Captain which ſhall not have the whole number of his ſouldiers, or not pay them their due wages within ſix daies after he ſhall have received them, ſhall forfeit all his goods and chattels, and ſuffer impriſonment.

VIII. It is felony for a ſouldier retained, to depart from his colours without licence, for which he ſhall not enjoy the benefit of his Clergy.

IX. Juſtices of the Peace have power to enquire, hear, and determine of this offence of departing without licence, and the trial thereof ſhall be in the ſame County where the ſouldier is apprehended.

X. This Act ſhall not be prejudicial to Captains when ſouldiers die, or otherwiſe depart without any default of theirs, ſo that they therewith acquaint (at land) the Treaſurer of the wars within ten daies after, or (at Sea) the Admiral at their next meeting with him. *But, Quære, whether this Statute ſurvived* H. 7.

XI. **Stat.** 3 *H.* 8. 5. This Act is in all parts the ſame with 7 *H.* 7. 1. ſave onely, that it ſhall not extend to Captains and ſouldiers in *Barwick, Wales, Calice*, or other places in *France*, nor to Captains having under them retinue of ſouldiers, or for non-payment of the King's wages to Captains, houſhold-ſervants. *Quære alſo, whether this ſurvived* H. 8.

* XII. **Stat.** 2 and 3 *E.* 6. 2. A ſouldier that makes away his horſe or arms (proof thereof being made before the chief Commander) ſhall ſuffer impriſonment without bail, untill he hath ſatisfied the party at whoſe charge he was ſent out.

XIII. If ſuch a ſouldier eſcape from the Army without puniſhment, he ſhall be liable to the ſame, to be inflicted upon him by any Juſtice of Peace in thoſe parts where he ſhall be apprehended, unleſs

unleſs he bring ſufficient teſtimony from the Commander, that the horſe or arms were otherwiſe loſt, or imployed in the King's ſervice.

XIV. It is felony (without benefit of Clergy) for a ſouldier retained, to depart without licence of his Commander, whereupon Juſtices of Peace may proceed as in caſe of felony.

XV. The Commiſſioner or Captain that licenſeth any perſon retained, and aſſumeth another for gain, or which giveth to any licence to depart without warrant from the Commander, ſhall forfeit 20 l. to the King for every perſon ſo let go.

XVI. The Lievtenant-General, or other Officer, that receives more wages for ſouldiers then there is cauſe, and doth not every moneth (by a note in writing) acquaint the Treaſurer of the Army with every ſouldier's entry into pay, death, or departure, ſhall forfeit 5 l. to the King, ſuffer one moneth's impriſonment, and loſe his place.

XVII. None but the Commander ſhall licenſe any, in pain of impriſonment both of the licenſer and licenſed, at the diſcretion of the ſaid Commander.

XVIII. The Lievtenant-General ſhall command this Act to be proclaimed in the Army once every moneth, and every Governour in his fortreſs once every three moneths.

XIX. Every perſon which ſhall inform the Lievtenant of any of theſe offences, ſhall have a moneths pay belonging to him that is faulty.

XX. This Act ſhall not prohibit officers to retain yearly 6 s. 8 d. for the Coat of a Yeoman, and 12 s. 4 d. for the Coat of a Gentleman; neither ſhall it be prejudicial unto them, when the lack of ſouldiers is not through their default, nor when they have under them a retinue of ſouldiers, or for non-payment of the King's wages to their houſehold-ſervants; neither ſhall it extend to prohibit relief of tenants or friends toward ſervice in war, or the detaining of ſouldiers wages upon lawful cauſes.

☞ XXI. Stat. 43 E. 3. The more part of the Juſtices of P. yearly in their *Eaſter*-Seſſ. have power to charge every Pariſh towards a weekly relief of maimed ſouldiers and Mariners, ſo that no Pariſh pay weekly above 10 d. nor under 2 d. nor any County which conſiſts of above 50 Pariſhes pay above 6 d. one Pariſh with another; which ſumms ſo taxed ſhall be aſſeſſed in every Pariſh by the Pariſhioners, or (in their default) by the Church-wardens and Conſtables, or (in their default) by the next Juſtice or Juſtices of Peace.

XXII. The Conſtables and Church-wardens of every Pariſh have

have power to levy the tax of every perſon refuſing to pay it, by diſtreſs and ſale, and (in their default) the ſaid Juſtice or Juſtices next adjoyning.

XXIII. The tax being thus levied, the Conſtables and Church-wardens ſhall deliver it quarterly (ten daies before every Quarter-Seſſ.) to the High-Conſtable of their Diviſion, who ſhall deliver it over to the Treaſurers of the County at the ſame Quarter-Seſſions.

XXIV. The Treaſurers ſhall be Subſidy-men, *viz.* of 10 l. in lands, or 15 l. in goods, and ſhall not continue in their office above one year, rendring up their accounts yearly at *Eaſter*-Seſſions, or within ten daies after, to their Succeſſors.

XXV. The Officer, his Executors, *&c.* that fails in payment of the ſumms levied ſhall forfeit, viz. the Church-wardens or Conſtables 20 s. and the High-Conſtables 40 s. which the Treaſurers have power to levy (by diſtreſs and ſale) in augmentation of their ſtock.

XXVI. The Treaſurer (or his Executor, *&c.*) that hath been negligent to execute his office, or to render an account within the time above limited, ſhall be fined by the Juſtices of Peace in the Seſſ. 5. l. at leaſt.

XXVII. The maimed Souldier or Mariner which was preſt, ſhall repair (if he be able to travel) to the Treaſurers of the County where he was preſt; if he were not preſt, then to the Treaſurers of the County where he was born, or where he laſt dwelt by the ſpace of three years, at his election: but if he be not able to travel, then to the Treaſurers of the County where he lands.

XXVIII. He ſhall bring to any of the Treaſurers aforeſaid a Certificate under the hand and Seal of the chief Commander, or of the Captain under whom he ſerved, containing the particulars of his hurts and ſervices; which Certificate ſhall be alſo allowed by the Muſter-maſter, or the Receiver-General of the Muſter-rolls, under one of their hands.

XXIX. Upon ſuch a Certificate, the Treaſurers aforeſaid may allow him relief to maintain him until the next Quarter-Seſſions, at which the more part of the Juſtices may allow him a penſion, which the Treaſurers ſhall pay him quarterly, until it ſhall be revoked or altered by the ſaid Juſtices: And this allowance to him that hath not born Offices ſhall not exceed 10 l. to an Officer under a Lievtenant 15 l. to a Lievtenant 20 l.

XXX. When Souldiers or Mariners arrive far from the place where they are to receive relief, the Treaſurers there ſhall give them relief and teſtimonial, whereby they may paſs from Treaſurer to Trea-

Treaſurer, until they ſhall come to the place required; and this ſhall be done upon the bare Certificate of the Commander and Captain, although they have not as yet obtained any allowance thereof from the ſaid Muſter-maſter, or Receiver general of the Muſter-rolls.

XXXI. The Treaſurers ſhall regiſter their Receits and Diſburſments, and enter the names of the parties relieved, and alſo the Certificate by warrant whereof the diſburſments are made; the Muſter-maſter alſo or Receiver aforeſaid ſhall regiſter the names of the parties, and the Certificates by him allowed: and the Treaſurer returning or not allowing the Muſter-maſter's Certificates, ſhall thereupon ſubſcribe or endorſe the cauſe of his diſallowance.

XXXII. Juſtices of Peace in Seſſ. have power to fine a Treaſurer that wilfully refuſeth to give relief, which any two of them (appointed by the reſt) may levy by diſtreſs, and ſale of goods.

XXXIII. A Souldier or Mariner that begs, or counterfeits a Certificate, ſhall ſuffer puniſhment as a common Rogue, and ſhall loſe his penſion if he have any.

XXXIV. The ſurpluſage of this contribution ſhall be imployed by the more part of the Juſtices in Seſſions upon charitable uſes, according to the ſtatutes made for relief of the poor and puniſhment of Rogues.

XXXV. In Corporations, the Juſtices there ſhall put this Act in execution, and not the Juſtices of the County, and ſhall be liable to fines, as well as other Juſtices, if they miſuſe their power therein, and ſhall appoint a Collector of this tax, which ſhall have the power and be ſubject to the penalties limited (by this Act) to High-Conſtables of the Counties.

XXXVI. The forfeitures accruing by this Act ſhall be imployed as the ſurpluſage aboveſaid, or otherwiſe kept in augmentation of the ſtock, as the more part of the Juſtices in Seſſions ſhall direct.

XXXVII. When out of the County where the party was preſt a fit penſion cannot be ſatisfied, it ſhall be ſupplied by the Counties where he was born, or where he laſt dwelt by the ſpace of 3 years.

XXXVIII. This Act ſhall not prohibit the City of *London* to make a tax (if need require) differing from that above limited; ſo that no Pariſh pay above 3 s. weekly, nor above or under 12 d. weekly one Pariſh with another.

XXXIX. **Stat.** 13 *Car.* 2. *ca.* 6. The command and diſpoſing of the *Militia*, and 14 *Car.* 2. *ca.* 3. all the forces by Sea and land, and Forts and places of Strength, declared to be in the King: and neither

neither or both Houſes of Parliament can or ought to pretend any power to levy war offenſive or defenſive againſt the King, his Heirs or lawful Succeſſors.

Provided this Act be not taken to extend to give or declare any power for tranſporting or compelling any of the ſubjects to march out of this Kingdom, otherwiſe then by the Laws thereof ought to be done.

XL. **Stat.** 14 *Car.* 2. *ca.* 3. The ſame again declared, and that the King, his Heirs and Succeſſors may iſſue forth Commiſſions of Lievtenancy for the ſeveral Counties and places of *England* and *Wales* and town of *Berwick* upon *Tweed*, impowering them to call together perſons, and them to arm and form into Regiments, and lead and conduct and employ them as his Majeſty ſhall direct, as well within the ſeveral Counties and places where they be commiſſionated, as into other Counties, for ſuppreſſing all Inſurrections, Rebellions and Invaſions.

XLI. The Lievtenants impowered to commiſſionate Officers, and to preſent the names of ſuch perſons as they ſhall think fit to be Deputy-Lievtenants, and upon the King's approbation to give them Deputations accordingly; which his Majeſty, his Heirs or Succeſſors may notwithſtanding diſplace.

XLII. In abſence of the Lievtenants, the Deputy-Lievtenants or any two of them may train, exerciſe and lead perſons ſo armed to the intents hereafter expreſſed.

XLIII. The Lievtenants or Deputy-Lievtenants the major part of them, being 3 at leaſt, may charge perſons with horſe or foot-arms where their eſtates lie, not exceeding the limitations in the Act, *viz.*

1. None to be charged with horſe unleſs he have a revenue of 500 l. *per annum*, or 6000 l. in goods or money.

2. None to be charged with foot-arms not having 50 l. *per annum*, or 600 l. in goods; nor ſhall he be charged with horſe and foot in the ſame County.

3. None that find or contribute towards a horſe ſhall find any foot-arms, and two or three may be joyned in finding an horſe-arms.

4. No perſon not having 100 l. *per annum* ſhall be contributary to a horſe-arms.

5. The Lievtenants and Deputy-Lievtenants or any three of them impowered to hear and redreſs complaints, and examine witneſſes upon oath.

6. Two ſhillings *per diem* ſhall be allowed an horſe, and 12 d. *per diem* a foot-ſouldier.

7. The

7. The Lievtenants or any three Deputy-Lievtenants may ſet rates for furniſhing ammunition or other neceſſaries, not exceeding in any one year a fourth part of 70000 l.

8. In caſes of Invaſion or Inſurrection every ſouldier is to be provided of one moneth's pay; but no perſon to be charged further, until the ſaid moneth's pay be reimburſed him.

9. Lievtenants, Deputy-Lievtenants and Chief-officers may charge horſes, carts and carriages for ammunition, allowing 6 d. a mile to every cart with 5 horſes, and 1 d. the mile for a horſe.

10. Mutineers may be puniſhed by mulcts, not exceeding 5 s. or impriſonment, not exceeding 20 days.

11. The Lievtenants or 3 Deputy-Lievtenants may impoſe and levy penalties not exceeding 20 l. upon every perſon charged and refuſing to furniſh arms, and impriſon any perſon that ſhall imbezil arms until ſatisfaction; and fine any horſe-armes not appearing upon ſummons 20 s. and any foot-arms 10 s. and upon perſons charged and not ſending in their horſes upon ſummons 5 l. to be levied by diſtreſs and ſale of the offender's goods.

12. And for diſcovering the abilities of perſons chargeable and miſdemeanours in hindrances of the ſervice, the Lievtenants or any 3 Deputies may examine any perſon upon oath, other then the parties aſſeſſed and accuſed.

XLIV. The Lievtenants may appoint Treaſurers and clerks, who are to account for money received every ſix moneths, and to certifie the ſame to the King's Privy councel, and duplicates thereof to the Quarter-Seſſions.

XLV. Deputy-Lievtenants ſhall obey and execute the directions of the Lievtenants.

XLVI. The Lievtenants or any two Deputy-Lievtenants may imploy any perſons, with the aſſiſtance of a Commiſſion-Officer and Conſtable or other Pariſh-officer, to ſearch for and ſeize arms in the cuſtody of any perſon whom they ſhall think dangerous to the peace of the Kingdom: but no ſearch to be made in any houſe in the night (other then in Cities and Towns corporate by warrant ſpecially directing the ſame;) and no dwelling-houſe of any Peer to be ſearched but by warrant under the King's ſign manual, or in preſence of the Lievtenant or Deputy-Lievtenant of the ſame County: and the arms ſeiſed to be reſtored again, if it ſhall be thought fit.

XLVII. High-Conſtables and all other officers to be aiding and aſſiſting to the Lievtenants and Deputy-Lievtenants, and to be ſaved harmleſs and indemnified for ſo doing.

XLVIII. Perſons charged to find arms in Counties where they reſide

reſide not, ſhall have notice ſent to their tenants or ſervants there, who ſhall ſpeedily thereof inform their maſters or land-lords, and bring an account thereof to the Deputy-Lievtenants: And upon neglect or refuſal of the Land-lord, the Tenants ſhall provide arms, and doe as the Land-lord ought to have done: and if the Tenants refuſe or make default, the penalties of this Act to be levied upon them. And ſuch Tenants may defalk for ſuch moneys as they expend for providing arms out of their Rents, unleſs the default and penalty were occaſioned by their own neglect.

XLIX. Peers acting as Lievtenants or Deputy-Lievtenants ſhall before they act take the Oaths of Allegiance and Supremacy before ſix of the Privy Councel, and the Oath following.

I A. B. do declare and believe that it is not lawful upon any pretence whatſoever to take arms againſt the King; and that I do abhor that traitorous Poſition, That arms may be taken by his Authority againſt his Perſon, or againſt thoſe that are commiſſioned by him in purſuance of ſuch military Commiſſions: So help me God.

L. Perſons under the degree of Peers, before they act as Lievtenants or Deputy-Lievnants, ſhall take the oaths of Allegiance and Supremacy and the aforeſaid oath before the Lievtenant or ſome Juſtice of the Peace of the reſpective Counties and places where they act. And the Lievtenant or any two Deputy-Leivtenants in their abſence are enabled to adminiſter the ſaid Oaths to the ſaid Officers and Souldiers.

The Trained-bands diſcharged.

LI. Times of training and exerciſing ſhall be as followeth.

1. The General muſter and exerciſe of Regiments not above once a year.

2. Training and exerciſing ſingle Companies not above 4 times a year, unleſs upon ſpecial direction by the King or Privy Councel, and the ſame not to continue above two daies.

3. At general Muſters and Exerciſe of Regiments none ſhall be conſtrained to ſtay above 4 days from their habitations.

LII. At every Muſter and exerciſe every Musketeer ſhall bring half a pound of Powder, every Horſeman a quarter of a pound, at the charge of the Perſons finding the ſaid Souldiers.

LIII. The Armes and Furniture of an horſe offenſive and defenſive ſhall be, *viz.* Defenſive arms; A Back, Breaſtplate and Pot, the Breaſtplate and Pot Piſtol-proof. Offenſive arms; A ſword and

Caſe

Caſe of Piſtols, the barrells not under 14 inches in length. Furniture of a horſe; A great Saddle-Pad with burrs and ſtraps to affix the holſters unto, a bit and bridle, with a pectorall and Crupper.

LIV. Foot-armes; A Musket, the barrel not under 3 foot in length, and the bore for 12 bullets in the pound, a coller of bandeliers and ſword.

LV. Pike-Arms; A Pike of Aſh, not under 16 foot long, with a Back, breaſt, head-piece and ſword.

LVI. The *Militia* of the Iſle of *Purbeck* to remain ſeperate from the County of *Dorſet*, and the Lievtenants and Deputy-Lievtenants there to exerciſe the ſame powers as in the ſaid County.

LVII. *Proviſo*, impowering the King, in caſe of dangers, during the ſpace of 3 years from the 25 of *June* 1662. to raiſe money for defraying the charge and ſecuring the Nation, the ſaid ſumm not exceeding 70000 l. in one whole year.

LVIII. *Proviſo*, That none be compelled to ſerve in perſon finding one ſufficient man qualified according to the Act: And perſons liſted ſhall not be changed or deſert the ſervice without leave, upon pain of 20 l. to be levied by diſtreſs, and for want of diſtreſs by impriſonment of the party offending.

LIX. *Proviſo*, Not to put any new charge upon the Tinners in *Cornwall*: But the Lord Warden of the Stannaries and his Deputies, by the King's Commiſſion, may exerciſe the ſame powers for arraying, aſſeſſing and arming, as others, obſerving the cuſtomes and privileges of the Stannaries.

LX. *Proviſo*, The *Militia* of *London* may continue to liſt the Trained-bands and Auxiliaries by the King's Commiſſion: and that his Majeſties Lievtenants for the ſaid City by his warrant may aſſeſs and levy for defraying charges any ſumm yearly not exceeding the proportion which the City payeth to the tax of 70000 pound *per menſem*, and to be accountable as in this Act mentioned.

LXI. *Proviſo*, That no Officer or Souldier of the *Militia* or Trained-bands of Cities, Boroughs or Corporations, or Ports, be compellable to appear out of the Liberties thereof at any Muſter or exerciſe onely, and they are to be chargeable with the uſual number of Souldiers, unleſs the Lievtenants find cauſe to leſſen the ſame.

LXII. *Proviſo*, Not to avoid any Covenant between Land-lord and tenant concerning finding horſes or arms, or bearing the charges, taxes or rates for the ſame.

LXIII. *Proviſo*, That this Act ſhall not alter the manner of raiſing

ſing horſe or foot in the Iſle of *Wight*, but the ſame to continue as now uſed and practiſed there.

LXIV. *Proviſo*, That none be compelled to march out of this Kingdom, or be tranſported beyond the Seas, otherwiſe then by the law of this Kingdom ought to be done.

LXV. *Proviſo*, That no Peer be charged with horſe or foot ſouldiers or arms, but by Commiſſion to ſo many Peers (not fewer then 12) as the King ſhall appoint under the great Seal, (except the monethly taxes to be levied as before in this Act) which Peers or any 5 of them ſhall have power to execute this Act in all things, except impriſonment of the perſon of any Peer: and the Aſſeſsment laid and penalties impoſed ſhall be certified to the Lievtenants of the reſpective Counties, and the penalties levied by diſtreſs and ſale of the goods of ſuch Peer or his tenant, who may deduct the ſame out of his next rent.

LXVI. **Stat.** 12 *Car.* 2. *ca.* 16. All Officers and Souldiers of the Army disbanded, that were in ſervice under General *Monk* 25 of *April* 1660. and inſtrumental in his Majeſtie's reſtauration, may exerciſe trades, ſuch as have deſerted the ſaid ſervice or refuſe the Oath of Allegiance excepted: *Vid. the Act and Proviſo's at large.*

LXVII. **Stat.** 14 *Car.* 2. *ca.* 8. An Act for diſtribution of 60000 l. amongſt the truly loyal and indigent Commiſſion-Officers of his Majeſty and the late King, and for aſſeſſing of Offices, and diſtributing the moneys thereby raiſed for their ſupply. *Vid. the ſaid Act, and the Act of Explanation thereof*, 15 Car. 2. cap. 3. Stat. 3.

LXVIII. **Stat.** 14 *Car.* 2. *ca.* 9. Officers, ſouldiers and mariners maimed, indigent and aged, which continued faithful to the King, and the Widows and Orphans of ſuch as have died in the King's ſervice, ſhall be provided for by penſions or otherwiſe by the Juſtices of the Peace in every County. *See the Statute at large.*

LXIX. **Stat.** 15 *Car.* 2 *ca.* 4. **Stat** 3. For better ordering the forces in the ſeveral Counties of this Kingdom. The ſeveral Lievtenants nominated by his Majeſty, his Heirs and Succeſſors, within their limits, and in their abſence their Deputy-Lievtenants, or any two of them, may lead and exerciſe, or by warrants under their hands and ſeals cauſe to be led or put in readineſs, all perſons raiſed, arraied or weaponed according to the ſaid Act, and this Act.

LXX. All perſons charged, upon pain of forfeiting 5 s. ſhall pay and allow 2 s. 6 d. by the day to every trouper for maintenance of the man and horſe; and upon pain of 2 s. ſhall allow 1 s. by the day

for ſo many daies as they ſhall be abſent by occaſion of Muſter, unleſs agreement be made to the contrary: the ſaid penalty to be paid to the Souldier to whom ſuch pay is denied, to be demanded within 6 weeks after default, or at or before the next Muſter, and not afterwards.

LXXI. If any perſons charged according to the ſaid Acts refuſe or neglect, by a reaſonable time to be appointed, to provide and furniſh Foot-ſouldiers and Arms as charged upon them, the Lievtenants and Deputy-Lievtenants, or any 3 of them, may inflict a penalty not exceeding 5 l. for every ſuch offence, to be levied as followeth, and imployed to the ſame uſes in default whereof the ſame was impoſed.

LXXII. The Lievtenants and Deputy-Lievtenants, or any 3 of them, may appoint the Conſtables of every Pariſh to provide (upon penalties not exceeding 40 s. for every omiſſion) ſo many ſufficient Foot-arms (with wages and other incidents) as they ſhall think fit, according to the rules and proportions of the ſaid Acts, upon revenues under 50 l. *per annum*, and perſonal eſtates under 600 l. within their Pariſhes.

LXXIII. If any perſon charged ſhall refuſe or neglect to find a Foot-ſouldier, or pay him according to the rate ſigned by the Lievtenants, Deputy-Lievtenants, or any 3 of them, the Conſtables by warrant for that purpoſe may levy the ſame by diſtreſs and ſale of the offender's goods, reſtoring the overplus, the charges of diſtraining deducted: and the Tenant may pay the ſame for any Land-lord, and deduct the ſame out of his Rent: and in default the Tenant's goods may be diſtrained and ſold for the ſame.

LXXIV. Once in every year every Souldier ſhall pay the Muſter-maſter ſuch ſumm (not exceeding 1 s. an horſe-man, and 6 d. a Foot-ſouldier) as the Lievtenants or Deputy-Lievtenants or any 3 of them under their hands and ſeals ſhall direct, which may be levied by diſtreſs and ſale: and every Muſter-maſter ſhall be an Inhabitant of the reſpective County.

LXXV. Every Musketier ſhall bring to every Muſter half a pound of powder and half a pound of bullets, and if ſerving with a match-lock, 3 yards of match, and every horſe-man a quarter of a pound of powder, and as much of bullets, at the charges of the perſons charged with the ſaid horſe or foot-arms, upon pain of 5 s. for every omiſſion thereof.

LXXVI. The Lievtenants or Deputy-Lievtenants, or any 3 of them, may for 3 years from the 24 of *July* 1663. ſummon and continue together the ſaid trained forces ſo long as they ſhall judg convenient, in lieu of certain daies appointed for muſters by the ſaid

ſaid Act, entitled An Act for ordering the Forces in the ſeveral Counties of this Kingdom.

LXXVII. Provided, any Troop or Company may be kept upon ſuch duty by virtue hereof 14 daies and no longer in any one year.

LXXVIII. Provided, every commiſſioned Foot-officer in the Trained bands or *Militia* be excuſed from finding and contributing for horſe and foot-ſouldier and arms for his whole eſtate, if he be charged but with one horſe, &c.

LXXIX. Each Conſtable or other officer upon pain of 40 s. by virtue of any Warrant to them from the Deputy-Lievtenants or any three of them ſhall levy all arrears and proportions of money unpaid, charged for raiſing of forces as aforeſaid, by virtue of the ſaid Act, by diſtreſs and ſale of the offenders goods.

LXXX. Every Trouper and foot-ſouldier ſhall be ſubject to ſuch exerciſe and duty as others charged by the ſaid Act, and obſerve order upon like pains and penalties for any offences, and to be levied by the ſame waies and means as in the ſaid Act.

LXXXI. The Lievtenants and Deputy-Lievtenants or any 3 of them may diſpoſe of ſo much of the 4th part of one moneths aſſeſsment, mentioned to be levied by the ſaid Act yearly, to the inferiour officers for their pains, as to them ſhall ſeem expedient.

LXXXII. Every perſon ſued for any thing done in execution of this Act may plead the general iſſue, and upon non-ſuit or diſcontinuance of the Plaintiff recover double coſts: and no action ſhall be brought againſt any ſuch, unleſs laid in the proper County, and commenced within ſix moneths after cauſe of action.

LXXXIII. All forfeitures, penalties and payments in caſe of defaults may be levied and recovered by warrants under the hands and ſeals of the Lievtenants and Deputy-Lievtenants, or any 3 of them, by ſale of the goods of the offenders, and for want of goods by impriſonment until ſatisfaction.

LXXXIV. All perſons which ſince the 25 of *March* 1662. have acted or done any thing in diſmantling of any Cities or Towns, or demoliſhing of walls, or relating thereunto, are indemnified.

LXXXV. No perſon who hath an Eſtate of 200 l. *per annum*, or perſonal eſtate of 2000 l. ſhall be charged towards finding any foot; and any perſon who hath 100 l. *per annum*, and under 200 l. *per annum*, or a perſonal eſtate of 1200 l. and under 2000 l. may be chargeable towards horſe or foot as the Deputy-Lievtenants or

any three of them ſhall think fit: this not to extend to Cities, Corporations and Port-towns.

LXXXVI. Provided, the Warden of the Cinque-Ports and their members, in abſence of the Lievtenants and Deputy-Lievtenants, may execute this Act: and the members thereof not to be charged for their eſtates lying out.

LXXXVII. *Proviſo*, as in the former Act, touching the Pariſh of *St. Martin* called *Stamford Baron* in the Borough of *Stamford*, *Com. Lincoln.*

LXXXVIII. Seamen. *Vid.* Ships, *num.* 83.

Captives.

I. **Stat.** 16, 17 *Car.* 24. An Act for the relief of them taken by Turkiſh, Mooriſh and other Pirates, and to prevent the taking of others in time to come. *See the Stat. at large.*

Caſtles and Fortreſſes.

I. **Magna Charta,** 19. No Conſtable of Caſtle, or his Bailiff, ſhall take proviſion of a ſtranger without ready money; and one that dwelleth where the Caſtle is ſhall be paid for it within fourty dayes.

II. **Magna Charta,** 20. A Knight ſhall be freed from Caſtle-gard doing the ſervice by himſelf or another, or being with the King in his Hoſt.

III. **Weſt.** 1. 7. 3 *E.* 1. No Conſtable or Caſtellane ſhall exact any thing of any, but ſuch as reſide in their Town or Caſtle, unleſs it be an ancient price due to the King, Caſtle, or Lord of the Caſtle.

Certificate of the cauſe of Attainder, &c.

I. **Stat.** 34 *H.* 8. 14. The Clerks of the Crown, Aſſiſe and Peace, ſhall certifie unto the King's Bench the tenor of every Indictment, Outlawry or Conviction and Clerks Attaint had before them reſpectively for any felony or other offence, and that within 40 days next after ſuch attainder, conviction or outlawry, if it be Term-time; otherwiſe, within 20 dayes after the beginning of the Term next following the 40 dayes; and ſhall alſo deliver a tranſcript of the indictment to the Ordinary to whom the perſon attainted is committed: and all this in pain of 40 s. to the King and proſecutor. *But note, that the tranſcript to the Ordinary need not now*

ſince

ſince the Statute of 18 *Eliz.* 7. *which ſee after in* Clergy.

* II. The Clerk of the Crown ſhall receive ſuch certificates, in pain of 40 s. for every one refuſed.

III. When the indictment containeth more names then are convict, a tranſcript containing onely the names of ſuch as are convict ſhall ſerve.

IV. The Clerk of the Crown being ſent to by the Juſtices of Gaol-delivery or Peace for the name of any perſon ſo convict and certified, ſhall without delay ſend a certificate thereof, in pain of 40 s.

V. No certificates out of *Wales*, *Cheſter*, *Lancaſter*, *Dureſm.*

Ceſſavit.

I. **Glouceſter**, *cap.* 4. 6 *E.* 1. If a Free-farmer ceaſe to pay his rent two years together, the Leſſor ſhall have a *Ceſſavit* againſt him and recover the land, unleſs before Judgment he pay the arrearages, and give ſecurity to pay duly for the future.

II. **Weſt.** 2 *cap.* 21. 13 *E.* 1. A *Ceſſavit* by the Chief Lord againſt his Free-hold tenant that ceaſeth *per biennium.*

III. A *Ceſſavit* is maintainable by the heir of the Demandant againſt the heir or aſſigne of the Tenant.

Challenge.

I. **Stat.** *De Inquiſ.* 33 *E.* 1. If one challengeth a Juror for the King, he ſhall forthwith aſſign the cauſe, which ſhall be preſently tried by the diſcretion of the Juſtices.

II. If he alledge not a good cauſe, or it go againſt him, the Inqueſt ſhall be forthwith taken.

III. **Stat.** 7 *H.* 7. 5. *Rien dien le Garde* ſhall not be admitted for challenge in *London.*

IV. **Stat.** 33 *H.* 8. 23. Peremptory challenge ſhall not be admitted in caſes of High Treaſon or miſpriſion of Treaſon.

V. **Stat.** 1 *E.* 6. 12. All Statutes made during the Reign of *H.* 8. touching challenges and forein pleas are confirmed.

Champerty.

* I. **Weſt.** 1. 25. 3 *E.* 1. No Officer of the King ſhall maintain plea of lands or other things, to have part thereof, or other profit by Covenant between them made, in pain to be puniſhed at the King's will.

II. **West.** 2. 49. 13 *E.* 1. The Chancellor, Treasurer, Justices, or any of the King's Councel, Clerks of Chancery, Exchequer, or of any Justice or other Officer, or any of the King's house, Clerk or Lay, shall not receive any Church or Advouson, Land or Tenement in fee, by gift, by purchace, to farm, by Champerty or otherwise, so long as the same thing is in plea, nor shall take any reward thereof, in pain to be punished at the King's will, both buier and seller.

III. **Stat.** 20 *or* 21 *E.* 1. *made at Barwick.* The attainted of Champerty shall suffer three years imprisonment, and be fineable at the King's will: where you have also the form of a Writ for remedy thereof to be issued out, by *Gilbert de Thornton.*

IV. **Artic. super Chart.** 11. 28 *E.* 1. None shall take upon him a business in suit with an intent to have part of the thing sued for, neither shall any upon any such Covenant give up his right to another; in pain that the taker shall forfeit to the King so much of his lands and goods as do amount to the value of the part so purchased for such maintenance, to be recovered by any that will sue for the King in the Court where the plea hangeth.

V. This shall not prohibit any to take counsel at Law for the fee, or of his parents or friends.

VI. **Stat.** 33 *E.* 1. *Anno Domini*, 1304. Champertors are such as move pleas and suits, or cause them to be moved, either by themselves or others, and prosecute them at their own charge, to have part of the thing in variance, or part of the gains.

VII. **Stat.** 33 *E.* 1. *Anno Domini* 1305. None of our Court, of Pleaders, Attorneys, Stewards, Bailiffs or any other, shall take any plea or suit to Champerty, or for maintenance; in pain that they together with the consenters thereunto shall suffer three years imprisonment, and be fined at the King's will. *See also there the form of a Writ for the same purpose, and also against Conspirators.*

Chancery, Masters in Chancery.

I. **Artic. super Chart.** 5. 28 *E.* 1. The Chancellour and the Justices of his Bench shall follow the King, to the end he may have always near him such as be learned in the Laws, to order matters that shall come to the Court.

II. **Stat.** 36 *E.* 3. 9. Whosoever findeth himself grieved with any Statute shall have his remedy in the Chancery.

III. **Stat.** *Car.* 2. *not printed.* The office of the Masters in Chancery being of very ancient institution and necessary attendance

dance for diſpatch of buſineſs in the Court, and being thought more proper and ſafe for the ſubject in general, that *Affidavits*, Anſwers, Recogniſances and acknowledgments of Deeds ſhould be in ſome publick place, then in private ſtudies and houſes as formerly, and for the juſt incouragement of the ſaid Maſters, for their attendance and ſupport in due diſcharge of their places; enacted, that one publick office be kept, and no more, near the Rolls, in which the ſaid Maſters, ſome or one of them, ſhall conſtantly attend, for the adminiſtring of oaths, caption of deeds and recogniſances, and diſpatch of all matters incident to their office (References upon accounts and inſufficient anſwers onely excepted) from 7 a clock in the morning until 12 at noon, and from 2 in the afternoon until 6 at night: and the ſaid Maſters may demand and take the Fees following, *viz.*

For every *Affidavit* or oath taken in the ſaid office, 12 d.

For every bill of Coſts to be taxed by them for the Plaintiff's not putting in his bill, or not proceeding to reply, or for the Defendant's not appearing in due time, 2 s. 6 d.

For the acknowledgment of every deed to be enrolled, 2 s.

For the caption of every recogniſance, 2 s.

For every exemplification examined by two of the ſaid Maſters, to each of the ſaid Maſters who ſhall examine the ſame, for every skin of parchment ſo examined, 2 s.

For every Report or Certificate to be made in purſuance of any order made upon hearing of the cauſe, 20 s.

And for every other Certificate or Report of any order made upon petition or motion onely, 10 s.

To be paid by the party that takes out the Report or Certificate.

And if any maſter directly or indirectly receive any money, fee, reward or promiſe otherwiſe or for any other matter in this Act then as aforeſaid, every ſuch Maſter, after legal conviction, to be diſabled from the execution of his office, and forfeit to the party grieved ſo much money as he ſhall take contrary to this Act, and moreover 100 l. one moiety to the King, and the other to the party grieved that ſhall ſue for the ſame.

And ſeveral Tables of the ſaid Fees to be ſet up in the ſaid office and in the Chappel of the Rolls, that all parties may take notice thereof. *See* Clerks of the Chancery.

Chelſey.

I. **Stat.** 7 *Ja.* 6. A College ſhall be erected at *Chelſey*, and a trench ſhall be made to convey water from the river of *Lee* to *London* to maintain the ſame.

Chester and Cheshire.

I. **Stat.** 1 *H.* 4. 18. If any inhabitant of the County of *Chester* commit murther or felony in another County, process shall be made against him to the *Exigent.* in the County where the offence was done, and if he then flie into *Cheshire*, the *Exigent* or *Outlawry* shall be certified to the Officers of *Cheshire*, who shall thereupon take the offender, and seize his lands and tenements, and goods and chattels, for the Prince's use; the King shall also have his year, day and waste; likewise his lands and goods in other Counties shall remain forfeit to the King and other Lords, having thereof Franchise. The like process and proceeding shall be also had against the offender in battery or trespass so committed, and his goods and chattels shall be forfeited to the King, Prince or Lords respectively, as aforesaid.

☞ II. **Stat.** 27 *H.* 8. 5. Justices of the Peace, *Quorum* and Gaol-delivery, are to be nominated and made in *Chester* and *Wales* by the Lord Chancellor, or Keeper of the Great Seal of *England*, in like manner as within the Realm of *England*: which Justices shall certifie their extracts, and the severall Sheriffs make their accounts, as in the said Statute is directed.

III. The Justices and Clerks of the Peace shall have like fees as in *England*, and inferiour Officers shall be attendant to the Justices.

☞ IV. **Stat.** 32 *H.* 8. 43. Sessions shall be kept by the Justices for the time being in the County of *Chester* twice in the year onely, viz. at *Michaelmas* and *Easter*-Sessions; and the old order of keeping the County-daies shall cease.

V. **Stat.** 33 *H.* 8. 13. The Sheriff of the County of *Chester* shall keep his County-Court monethly in the Shire-Hall of the said County.

VI. The Justicer or his Deputy may keep their two Sessions at what time of the year they please, so they cause them to be proclaimed 15 days before.

VII. **Stat.** 34 *H.* 8. 13. The County of *Chester* shall have two Knights, and the City of *Chester* two Burgesses for the Parliament.

VIII. No Writ of Course in the nature of a Protection shall be granted in the County Palatine of *Chester*.

IX. **Stat.** 2 *E.* 6. 31. All Recognisances of Statutes-Merchant, *&c.* acknowledged before the Mayor of *Chester* shall be good in Law.

X.

X. **Stat.** 43 *Eliz.* 15. Fines may be levied before the Mayor of the City of *Cheſter* for lands lying there.

XI A *Dedimus poteſtatem* may be granted by the Mayor of *Cheſter* to take the acknowledgment of a fine.

XII. Howbeit, Fines taken before the Mayor may (upon erour) be reverſed before the High Juſtice of the County Palatine of *Cheſter*.

Chimney-money. *Vid. Title* King, *n.* 8.

Chirographers.

I. **Stat.** 2 *H.* 4. 8. The Chirographer or his Deputy ſhall take but 4 s. for a fine, in pain to forfeit his Office, be judged before the Court, ſuffer a year's impriſonment, and pay treble dammages to the party grieved, to be recovered before the Juſtices of the ſame Court.

Church-yard.

I. **Stat.** *Nè rectores proſternant Arbores in cæmeterio*, 35 E. 1. Parſons of Churches ſhall not cut down trees growing in the Church-yards, unleſs for the neceſſary repair of the Chancel, or (in charity) of the body of the Church.

See Title Fighting *and* quarrelling. *And ſee* Arreſts, *num.* 1, 2 *&* 3.

Citation.

I. **Weſt.** 2. 43. 13 E. 1. Hoſpitallers and Templers ſhall draw none into ſuit before the keepers of their privileges; neither ſhall their keepers cite any, to the prejudice of the King or Crown.

* II. **Stat.** 23 *H.* 8. 9. None ſhall be cited to appear out of the Dioceſs or peculiar juriſdiction where he or ſhe dwelleth, except by ſome Eccleſiaſtical or other perſon within the Dioceſs or other juriſdiction whereunto he is ſo cited, for ſome offence or cauſe committed or omitted, contrary to right or duty, or upon an appeal or other lawful cauſe, or when the Judge dares not nor will not cauſe him to be cited, or is any way party to the ſuit, or at the inſtance of the inferiour Judge to the ſuperiour, where the Law civil or Canon doth allow it; and all this, in

pain

pain to forfeit double dammages to the party grieved, and 10 l. to the King, to be divided betwixt him and the profecutor.

III. The Arch-biſhop may cite for hereſie in any Dioceſe within his Province, upon conſent or neglect of the Biſhop or Judge there.

IV. This Act ſhall not reſtrain the juriſdiction of the Prerogative Court for Probate of Teſtaments.

V. The Eccleſiaſtical Judge ſhall take but 3 d. for a Citation, upon the pains aforeſaid.

Clap-board.

I. **Stat.** 35 *El.* 11. For every ſix tun of Beer exported, the ſame Cask, or as good, or 200 of Clap-board fit to make Cask, ſhall be imported, or (if they be tranſported into *Ireland*) 200 of Shaffold-board, which Clap-board or Shaffold-board by a Stranger ſhall be left here before the Beer be exported, but by a Subject ſhall be left here or provided within four moneths after.

II. The Clapboard ſhall contain 3 foot 2 inches (at leaſt) in length, and the Cask ſhall be entred at the Cuſtom-houſe.

III. The ſame Law for ſtrangers that tranſport fiſh in Cask, and the penalty of breaking their Laws is the forfeiture of the Beer, Fiſh and Cask.

IV. None ſhall tranſport any Wine-cask with Beer or Beerager, or Wine-cask ſhaken, except for victualling of a Ship or other veſſel, or ſome of her Majeſtie's Garriſons beyond ſea, in pain to forfeit 40 s. for every tun of Cask ſo tranſported.

V. This Act ſhall not prohibit the tranſportation of Herrings in Cask.

☞ Clergy.

I. **weſt.** 1. 2. 3 *E.* 1. A Clerk convict for felony and delivered to the Ordinary ſhall not be enlarged without due purgation.

II. **Stat.** *De Bigamis* 5. 4 *E.* 1. *Bigamus* ſhall not be allowed Clergy.

III. **Artic. Cleri,** 15. 9 *E.* 2. A Clerk flying into the Church for felony, ſhall not be compelled to abjure.

IV. **Artic. Cleri,** 16. 9 *E.* 2. The privilege of the Church being demanded by the Ordinary ſhall not be denied to a Clerk that hath confeſſed felony, who is called an appealor or approver.

V.

V. Stat. 18 E. 3. *pro clero*, 2. Bigamy shall not be tried by Inquest, but by certificate from the Ordinary, until which time the party shall remain in prison, unless bailable.

VI. Stat. 25 E. 3. *pro Clero*, 4. Every Clerk convicted of any treason or felony (not touching the King himself) shall be delivered to the Ordinary.

VII. Stat. 25 E. 3. *pro Clero*, 5. A Clerk shall be arraigned of all his offences at once.

VIII. Stat. 4 H. 4. 12. The words, *Insidiatores viarum, & depopulatores agrorum*, shall not be put in indictments or appeals.

IX. Clerks shall be allowed their Clergy, notwithstanding an indictment hath the words aforesaid inserted in it.

X. Stat. 4 H. 4. 3. A Clerk convict shall make purgation according to a constitution made by *Simon* Arch-bishop of *Canterbury*.

XI. Stat. 4 H. 7. 13. The benefit of Clergy shall be allowed but once.

XII. A convict person shall be marked openly before the Judge upon the brawn of his left thumb, *viz.* with an *M* for murther, and with a *T* for another felony.

XIII. He that is within Orders, upon asking of his Clergy, shall shew his orders, or his Ordinarie's certificate.

XIV. Stat. 12 H. 7. 7. No Lay-person that doth murther his Lord or master shall have his Clergy.

XV. Stat. 23 H. 8. 1. None (except Clerks within orders) which by the Law shall be found guilty of petty treason, murther, sacrilege, burglary, robbery, or house-breaking, nor their accessaries, shall be admitted to the benefit of Clergy.

XVI. A clerk within Orders, being principal or accessary to any of the offences above-said, shall not be admitted to his purgation, nor be enlarged by the Ordinary, until he shall have bound himself with two good sureties before two Justices (1. *Quæ.*) to be of good behaviour.

XVII. This Act shall give no benefit to any persons which after outlawry, or attainder for felony or murther, are admitted to their clergy, but that such shall still remain in the custody of the Ordinary without making purgation.

XVIII. The Ordinary may degrade a convict person, and send him to the King's Beneh, where the Justices shall have power to give judgment upon him, according to which he shall be executed.

XIX. Stat. 23 H. 8. 11. A convict person within Orders shall be delivered to the Ordinary, there to remain without any pur-

purgation; yet may the Ordinary (in that caſe) degrade him, and ſend him to the King's Bench, where the Juſtices may proceed againſt him as before.

XX. Stat. 25 *H.* 8. 3. None ſhall have benefit of Clergy which, being accuſed of any of the offences mentioned in the 23 *H.* 8. 1. are found guilty and mute, challenge above twenty, or anſwer not directly; albeit the offence were committed in another County then where they were tried.

XXI. Stat. 26 *H.* 8. 12. A remedy where there be no Juſtices of Peace in that county in *Wales* where the Clerk convict doth remain in priſon.

XXII. Stat. 28. 8 *H.* 1. Such as be within holy orders ſhall receive no other benefit of Clergy then others do. *Stat.* 32 *H.* 8. 3.

XXIII. Stat. 37 *H.* 8. 8. None attainted for horſe-ſtealing ſhall have the benefit of Clergy. *See* 2, 3 *E.* 6. 33.

XXIV. Stat. 1 *E.* 6. 12. All Felons ſhall have the benefit of Clergy, ſave onely ſuch as are found guilty of murther, poiſoning, burglary, robbery, horſe-ſtealing, or ſacrilege, or which upon their arraignment of any of the ſame offences confeſs the ſame, ſtand mute, or make no direct anſwer thereunto. *See alſo for* Horſe-ſtealing *the Statute of* 2, 3 *E.* 6. 33.

XXV. This Act ſhall not extend to Treaſon, petty Treaſon, or miſpriſion of Treaſon.

XXVI. A Peer of the Realm, for his firſt offence of Felony, though he cannot read, ſhall be admitted to his purgation, as a Clerk convict.

XXVII. *Bigamus*, being a Felon, ſhall be admitted to his Clergy as well as any other.

XXVIII. Stat. 5, 6 *E.* 6. 9. Clergy ſhall not be admitted to a Burglar, although the offence be committed without the notice of the owner, children or ſervants, or any of them being within the houſe or precincts of the ſame; ſo it is alſo for Burglary committed in Booths or Tents.

XXIX. Stat. 5, 6 *E.* 6. 10. The Statute of 25 *H.* 8. 3. ſhall ſtand in force concerning the trial of offenders in another County then where the offence was commited, notwithſtanding the Statute of 1 *E.* 6. 12. which ſeems to take away the force thereof; ſo that ſuch an offender ſhall not have his Clergy, albeit the trial happen to be in another county then where ſuch offence was committed.

XXX. Stat. 4, 5 *P* & *M.* 4. Acceſſaries (before the fact) which are found guilty of petty treaſon, murther, burglary, robbery,

bery, or houſe-burning, or which upon their arraignment for theſe offences ſtand mute, challenge above twenty, or anſwer not directly, ſhall not enjoy the benefit of Clergy.

XXXI. In this caſe Peers ſhall be tried by their Peers.

XXXII. **Stat.** 8 *Eliz.* 4. None that taketh any thing privily or feloniouſly from the perſon of another, or upon his arraignment ſhall confeſs the ſame, not anſwer directly, ſtand mute, challenge above twenty, or be outlawed for it, ſhall have the benefit of his Clergy.

XXXIII. One delivered to the Ordinary and admitted to his Clergy ſhall (notwithſtanding his purgation) anſwer for offences formerly committed.

XXXIV. **Stat.** 18 *El.* 7. None ſhall have Clergy that committeth Rape or Burglary.

XXXV. An offender admitted to his Clergy, after burning in the hand, ſhall not be delivered to the Ordinary, as hath been uſed, but ſhall thereupon be enlarged by the Juſtices before whom ſuch Clergy ſhall be granted, or by them detained longer in priſon at their diſcretion, ſo it be not for longer time then one whole year.

XXXVI. To know a woman carnally under the age of ten years, is Felony.

XXXVII. One admitted to his Clergy ſhall nevertheleſs anſwer for other felonies.

XXXVIII. **Stat.** 39 *Eliz.* 9. He that taketh away a woman againſt her will (having lands or goods, or being heir apparent to her Anceſtor) contrary to the *Stat.* of 3 *H.* 7. 2. or being arraigned for ſuch offence, ſtands mute, anſwers not directly, or challengeth above twenty, ſhall not have the benefit of Clergy.

XXXIX. The ſame Law againſt Procurors and Acceſſaries before ſuch offences committed.

XL. **Stat.** 39 *Eliz.* 15. Clergy ſhall not be allowed to any that feloniouſly takes away any thing in the day-time amounting to the value of 5 s. out of any dwelling-houſe or out-houſe, albeit no perſon be within or near the ſame.

XLI. **Stat.** 1 *Jac.* 8. He that ſtabs or thruſts any perſon, not having a weapon drawn, or not ſtriking firſt, ſo that he dies thereof within ſix moneths after, although it be not of malice or fore-thought, ſhall not enjoy the benefit of Clergy.

XLII. This Act ſhall not extend to charge any of ſtabbing or thruſting when it is done onely *ſe defendendo*, by misfortune, or in chaſtiſing his child or ſervant, with no purpoſe to commit Manſlaughter.

XLIII.

XLIII. Stat. 21 *Jac.* 6. For felony, where the man may have his Clergy, the woman ſhall be burned in the hand with an hot Iron.

Clerks of the Chancery.

I. Stat. *De Sacramento Clericorum Cancellariæ*, 18 E. 3. The form of the oath of the Clerks of the Chancery.

II. Stat. 14 *H.* 8. 8. The ſix Clerks of the Chancery may marry wives, and yet injoy their Offices.

☞ Clerk of the Crown.

I. Stat. 2 *H.* 4. 10. When divers perſons are joyntly indicted, the Clerk of the Crown ſhall take but one fee, *viz.* 2 s. for them all, and not ſeveral fees for each perſon.

Clerk of the Market.

* I. Stat. 13 *R.* 2. 4. The Clerk of the Market of the King's Houſe ſhall execute his Office duely, and all falſe weights and meaſures ſhall be burnt.

II. The ſaid Clerk ſhall take no common fine, but every one ſhall be puniſhed according to their demerit.

III. He ſhall not ride with above ſix horſes, and ſhall tarry no longer in a place then need requireth.

IV. If he offend againſt this Law, he ſhall pay to the King for the firſt time 5 l. for the ſecond 10 l. for the third 20 l.

* V. Stat. 17 *Car.* 19. There ſhall be one weight and one meaſure according to the Standard of the Exchequer throughout the Realm, and every meaſure of Corn ſhall be ſtriked without heap.

VI. Whoſoever ſhall ſell, buy or keep any other weight or meaſure whereby any thing is bought or ſold, after ſix moneths after this Seſſ. of Parliament, ſhall forfeit for every ſuch offence 5 s. being thereof lawfully convicted by the oath of one witneſs before a Juſtice of Peace, Mayor or other Head-officer, (in their ſeveral Precincts reſpectively) who ſhall have power to adminiſter an oath in that behalf; which ſaid forfeiture ſhall be levied by the Church-wardens and Overſeers of the poor (or one of them) where the offence ſhall be committed, to the uſe of the poor there, by diſtreſs and ſale of goods, rendring the overplus to the party offending;

ding; and in default of diſtreſs, the Juſtice, Mayor, or Head-officer may commit the offender to priſon, untill he ſhall pay the ſumm ſo forfeited.

VII. The Clerk of the Market of the King or Prince's houſhold, and his Deputies, ſhall onely execute their offices within the verge, and not elſewhere: And Head-officers of Corporations, and Lords of Liberties, and their Deputies, may execute theirs in their ſeveral Precincts, as they might have done before this Act was made.

VIII. If any of the Officers aforeſaid ſhall ſeal any weight or meaſure which is not agreeable to the ſaid Standard, or ſhall refuſe to ſeal ſuch as are agreeable thereunto, (the party paying onely ſuch fees for the allowance thereof as are warranted by Statute, or ſome ancient cuſtome) they and their Deputies (reſpectively) ſhall for every ſuch offence forfeit 5 l. to be levied as aforeſaid, to the uſe of the poor where the offence was committed.

IX. If they ſhall take any other fine, fee, reward, or ſumm of money, then what are allowed by Statute, or ſome ſuch ancient cuſtome, for the ſigning or examination of any weights or meaſures which have been formerly marked or ſealed, or ſhall impoſe any fine or amerciament without a legall triall of the offence, or ſhall otherwiſe miſdemean themſelves in the execution of their Office, and ſhall be thereof lawfully convict, they ſhall forfeit for the firſt offence 5 l. for the ſecond 10 l. and for every other offence 20 l. to be levied as aforeſaid, to the uſe of the poor where the offence was committed.

X. He that is fined or amercied by this Act, ſhall not be again puniſhed for the ſame offence by force of any former Law or Statute.

XI. This Act ſhall not extend to the meaſure of rent-corn, nor to water-meaſure, nor to colledges or ſocieties.

XII. If any Officer authorized to execute this Statute ſhall be impleaded for any Act he ſhall do therein, he ſhall plead the general iſſue, *Not guilty*, and yet give this Statute, or any other ſpecial matter in evidence: And if he be found *not guilty*, or the Plaintiff be non-ſuited, he ſhall recover treble coſts.

Clerks of Signet and Privie Seal.

I. **Stat.** 27 *H.* 8. 11. How and in what manner the King's grants, writings and leaſes ſhall paſs the privie Signet, the privy Seal, and the Great Seal; and in what time they ſhall paſs thoſe Seals; and forfeitures ſet upon the Clerks of the privie Signet, and privie Seal, for not doing their duty; and what fees they ſhall take for

for thoſe writings, and what fees ſhall be paid to any perſon for the ſame; and how and where ſuch writings ſhall come to the Great Seal, with an immediate warrant, and not paſs the Signet or privie Seal, and what fees ſhall be then paid therefore; and how and under what Seals the King's leaſes, grants, and writings of Lands, or Offices of the County Palatine or Dutchie of *Lancaſter* ſhall paſs; and what grants, leaſes, or writings for the King may be made without his warrant, and divers Articles at large concerning theſe matters: for theſe ſee the Statute it ſelf at large.

Coaches.

*I. **Stat.** 14 *Car.* 2. *cap.* 2. None ſhall let Coaches to hire within *London* and *Weſtminſter*, without licenſe from Commiſſioners to be impowered by the King under the Great Seal for licenſing of Coaches: and no Hackney-coach-horſe ſhall be leſs then 14 hands high: and the Coaches licenſed ſhall not exceed 400 in number. Every Coach licenſed ſhall have a ſeveral mark of diſtinction, and none ſhall be licenſed to keep above 2 Coaches, upon pain of 5 l. for every offence, one moiety to the Commiſſioners for paving the ſtreets, the other moiety to the Informer.

II. The Commiſſioners are not to licenſe ſuch as uſe any other trade, and chiefly to licenſe ſuch as have been ancient Coach-men, or have ſuffered for the King, or the widows that have Coaches of their own.

III. Penalty upon every Commiſſioner for every ſupernumerary Coach licenſed 100 l. whereof 20 l. to the informer, and the reſidue towards repairing the high-ways, to be levied by diſtreſs by Warrant under the hands and ſeals of 5 other Commiſſioners for mending the high-ways and paving the ſtreets.

IV. Licenſed Coach-men about *London* and *Weſtminſter* ſhall take for hire but 10 s. *per diem*, 18 d. for the firſt hour, and 12 d. every hour after; nor from any *Innes* of *Court* to any part of S. *James*'s or *Weſtminſter* above 12 d. and from any *Innes* of *Court* to the Royal *Exchange* 12 d. to the *Tower* of *London*, *Biſhopsgate-ſtreet*, *Algate* or thereabouts, 18 d. and ſo from the ſaid places to the *Innes* of *Court*, and the like rates to places of like diſtance: and upon refuſing to goe or exacting more, to forfeit for every offence 10 s.

V. Every Hackney-coach-man licenſed ſhall pay 5 l. *per annum*, by quarterly paiment, towards repairing high-ways, and paving the ſtreets: and certificates of all Hackney-coaches licenſed ſhall be made to the Commiſſioners for paving and mending the ſtreets, who

who are enabled to call the Commiſſioners for Hackney-coaches to accompt for the ſame.

VI. All Fines, Rents, Forfeitures and Penalties due to the Commiſſioners upon this Act ſhall be levied by diſtreſs, by Warrant under the hands and ſeals of any 5 of the Commiſſioners, and for want of diſtreſs by Impriſonment of the perſons untill ſatisfaction.

Coals.

I. Stat. 16 & 17 *Car.* 2. *cap.* 2. After the 6th of *March* 1664. all ſorts of Sea-coals, brought into the River of *Thames* and ſold, ſhall be ſold by the chaldron, containing 36 buſhells heaped, and according to the buſhell ſealed for that purpoſe at *Guild-hall London*, and ſo proportionably.

II. All other Coals, commonly ſold by weight, after 112 pound to the hundred, upon pain of forfeiture of all the Coals otherwiſe ſold or expoſed to ſale by any Woodmonger or retailer of Coals, and the double value thereof, to be recovered in any Court of Record, or by complaint to the Lord Mayor of *London*, and Juſtices of the Peace within the City and liberties, or any two Juſtices of the Peace of the ſeveral Counties where ſuch Coals ſhall be expoſed to ſale; who upon due proof upon oath may convict the offenders, and give Warrant under their hands and ſeals for levying the forfeitures, one half to the perſon complaining, the other half for the poor, or repairing high-ways within the ſame pariſh, or any other adjoyning pariſh, by their direction or Warrant.

III. The ſaid Lord Mayor and Court of Aldermen of *London*, and Juſtices of Peace in their ſeveral Counties, or any 3 of them, whereof one of the *Quorum*, may ſet rates or prices upon ſuch Coals to be ſold by retail, allowing competent clear profit to the retailer.

IV. If any ingroſſer or retailer refuſe to ſell as aforeſaid, they may appoint officers or other perſons to enter into any Wharf or Place where ſuch Coals are ſtored, and if refuſed, taking a Conſtable force entrance, and ſell the ſaid Coals at ſuch rates, rendring the money to the ingroſſer or retailer, neceſſary charges deducted.

This Act to continue 3 years next, and to the end of the next ſeſſion of Parliament, and no longer.

V. Provided no perſon be ſued upon any other Act for the ſame offence; and that the general iſſue may be pleaded by the de-

ſendant to any action upon this Act, and upon verdict for the def. or that the plaintiff be nonſuit, to have dammages, and double coſts.

VI. Provided that no perſon, having any intereſt in any Wharf uſed for receiving or uttering Coals, or trading by himſelf, or in any others name, in engroſſing or ſelling Coals, ſhall intermeddle in ſetting the prices thereof.

Collectors.

I. Stat. 18 *H.* 6. 5. None appointed to be a Collector of a fifteen in a City or Borough, ſhall be alſo Collector in the ſame County, unleſs he may diſpend in the County out of ſuch City in lands 5 l *per annum*, above all repriſes.

II. Stat. 14 *Car.* 2. *cap.* 18. An Act for relief of Collectors of publick money, and their aſſiſtants and deputies.

Commiſſion, and Commiſſioners.

I. Stat. 42 *E.* 3. 4. Commiſſions of Inquiries ſhall be made to the Juſtices of the one Bench or the other, Juſtices of Aſſize, Juſtices of Peace, with others of the moſt worthy in the Countrey, ſave in the Office of the Eſcheatorſhip.

II. Stat. 4. *H.* 4. 9. If any be diſtrained by Writ out of the Exchequer for not returning a Commiſſion which never came to their hands, the Chancellor of *England* (calling to him ſome of the Juſtices, and the chief Baron, if need be) hath power to give remedy therein.

III. Stat. 7 *H.* 4. 11. Commiſſioners not receiving a Commiſſion ſhall be diſcharged thereof upon oath.

IV. The Barons of the Exchequer have power to adminiſter the oath, and to diſcharge them thereupon.

V. The Barons of the Exchequer, and the Juſtices of either Bench, have alſo power (by *Dedimus poteſtatem*) to receive ſuch oaths in the Country, and the Juſtices ſhall make certificate thereof into the Exchequer, and thereupon alſo the Barons ſhall diſcharge the Commiſſioners, their heirs, executors, and land-tenants.

VI. Such oaths are not to be taken but in caſe of Commiſſions of *Oyer* and *Terminer*, and of inquiry and certifying onely.

Common Pleas.

I. **Magna Charta**, 11. 9 *H.* 3. Common Pleas shall not follow the Court, but shall be holden in some place certain.

II. **Artic. super Chart.** 4. 28 *E.* 1. Common Pleas shall not be holden in the Exchequer, contrary to the form of the Great Charter.

Common Prayer. *See* Religion.

Conditions.

I. **Stat.** 32 *H.* 8. 34. Grantees of Reversions may take advantage of conditions and covenants against Lessees of the same lands, as fully as the Lessors, their heirs or successors, might have done.

II. Lessees may also have the like remedy against the grantees of Reversions, which they might have had against their lessors or grantors, their heirs or successors; all advantage of recoveries in value, by reason of any warranty in Deed or Law by Voucher, or otherwise, onely excepted.

Confirmation.

I. **Marlbr.** 5, 52 *H.* 3. The Great Charter, and that of the Forest, shall be duely observed and inquired of before the Justices in *Eyre*, and the Sheriffs in their Counties, and the offenders shall be grievously punished by the King.

II. **Stat.** 25 *E.* 1. *cap.* 1, 2, 3, & 4. The Great Charters are confirmed, judgments given against them shall be void; they shall be read in all Cathedral Churches, and Excommunication shall be pronounced against the breakers of them.

III. **Artic. super Chart.** 1. 28 *E.* 1. The Great Charter, and that also of the Forest, shall be duly observed.

IV. They shall be read four times in the year in a full County-Court, *viz.* at the Counties after *Mich. Christm. Easter*, and St. *John Baptist*.

V. There shall be three Knights, or other substantial men, chosen by the Commonalty in every County, to hear plaints concerning the Charters, and to determine them without such delay as is used at the Common Law; but they shall not in their proceeding prejudice the Common Law, or the Charters.

VI. They shall have their power by the King's Writ under the Great Seal, and the Sheriffs and Bailiffs shall be attendant upon them.

VII. Stat. 1 E. 3. 1. The Great Charter, and that of the Forest, shall be duly kept and put in execution. *See Ann.* 2. 4. 5. 10. 14. 28. 31. 36. 37. 42. & 45 *E.* 3. *cap.* 1. & 50 *E.* 3. *cap.* 2. and *Ann.* 1. 2. Stat. 2. 5. 6. Stat. 1. *cap.* 1. 7. *cap.* 2. 8. & 12 *R.* 2. *cap.* 1. also *Ann.* 1. 2. 4. 7. 9. & 13 *H.* 4. *cap.* 1. likewise *Ann.* 4 *H.* 5. *cap.* 1.

VIII. Stat. 10 *E.* 3. 1. All Statutes not repealed shall be kept and put in execution. *See also* 28. 36. 37. & 38 *E.* 3. *cap.* 1. and 1. 2. *Stat.* 2. 35. 6. *cap.* 1. 7. *cap.* 2. 8. 9. & 12 *R.* 2. *cap.* 1. and 15 *R.* 2. *cap.* 1. and 1. 2. 4. 7. 9. & 13. 4 *H.* 5. *cap.* 1.

IX. Stat. 42 *E.* 3. If any Statute be made contrary to *Magna Charta*, or *Charta de Foresta*, it shall be void.

X. Stat. 1 *H.* 4. 4. The Parliament holden in *Ann.* 11 *R.* 2. shall be holden and kept according to the purport thereof, as a thing done to the great honour and common profit of the Realm.

XI. Stat. 1 *E.* 4. 1. An Act was made, whereby was confirmed all Judicial Acts, Exemplifications, Concords, Recoveries, Proces in Court, *&c.* made in the times of *H.* 4. *H.* 5. and *H.* 6. and all grants and letters Patents (of divers things mentioned in the said Act) made by any of the said three kings. *See the Statute at large.*

XII. *The confirmation of divers particular Statutes. See under their proper titles.*

☞ Conjuration, Enchantment, and Witchcraft.

* I. Stat. 1. *Jac.* 12. If any shall be convicted to have used any invocation or conjuration of any evil Spirit, or to have consulted, covenanted with, entertained, employed, fed or rewarded any such Spirit, or taken up any dead p[illegible] or the skin, bone, or other part thereof, to have used in Witchcraft, Sorcery, charm or inchantment, or to have used any of the said Arts to kill, consume, and lame any person, they, together with their accessaries before the facts, shall suffer as felons, without benefit of Clergie.

II. If any shall be convicted to have by Witchcraft, Sorcery, Charm, or Inchantment, undertaken to tell where any treasure or goods lost or stollen may be found, or are become, or to provoke any to unlawfull love, or to destroy or hurt any cattel, goods, or person, albeit the same be not effected; they shall for the first offence suffer one year's imprisonment without bail, once every quarter of that year stand six hours upon the pillory, in some open Fair or Market, and there make open confession of the offence committed;

ted; and for the ſecond offence, ſhall ſuffer as felons, without benefit of Clergie.

III. But in theſe caſes ſhall be no loſs of dower, or diſheriſon of heir. And a Peer (being an offender) ſhall be tried by his Peers.

☞ Conſpiracie.

I. **Artic. ſup. Charta**, 10. 28 *E.* 1. Againſt Conſpirators, falſe Informers, and imbraceors of inqueſts, the King hath provided a Writ in the Chancery, and the Juſtices of either Bench, and Juſtices of Aſſize, ſhall upon every plaint thereof award inqueſts thereupon without Writ.

II. **Stat.** 33 *E.* 1. Conſpirators are ſuch as bind themſelves by oath or other alliance falſly and maliciouſly to indict, and falſly to move and maintain pleas, and ſuch as cauſe children within age to appeal men of felony, and retain men to maintain their malicious enterprizes: And this extendeth as well to the takers as givers; and alſo Stewards and Bailiffs, who by their power maintain debates that concern not their Lords, but other parties.

III. **Stat.** 7 *H.* 5. Whereas divers have been indicted for treaſons and felonies ſuppoſed to be committed in places, there being none ſuch to be found; every Juſtice having power to hear and determine ſuch offences by the oath of twelve men (whereof each ſhall have Free-hold within the County of the yearly value of 5l. beſides all repriſes) ſhall before *Exigent* inquire of Office, whether there be (indeed) any ſuch places or no: And if there be no ſuch place or places in the County where ſuch appeals or indictments are made, they and the proceſs thereupon ſhall be void; and the Indictors ſhall be puniſhed by impriſonment, fine and ranſome, at the diſcretion of the ſaid Juſtices; and if any *Exigent* be awarded before inquiſition, it ſhall be alſo void. This Act to continue in force untill the next Parliament.

IV. **Stat.** 9 *H.* 5. 1. The *Stat.* of 7 *H.* 5. ſhall continue in force untill the next Parliament after the King's return from beyond Sea.

V. **Stat.** 18 *H.* 6. 12. The Statute of 9 *H.* 5. 1. made perpetual, becauſe (*H.* 5. dying beyond Sea) ſome were of opinion it was expired.

Conſtable and Marſhal.

I. **Stat.** 8 *R.* 2. 5. The Conſtable and Marſhall ſhall not have conuſance of Pleas or ſuits, which ought to be diſcuſſed at the Common Law.

II. **Stat.** 13 R. 2. *Stat.* 1. 2. The Conſtable of *England* hath cogniſance of things concerning Arms and Wars, which cannot be diſcuſſed by the Common Law.

III. In this Court, the Plaintiff ſhall plainly declare his matter in his Petition before the Defendant be ſent for.

IV. When a Plea is commenced before the Conſtable and Marſhall which may be tried at the Common Law, the party grieved ſhall have a privy Seal to cauſe the Conſtable and Marſhall to ceaſe, untill it may be decided by the King's Councel, whether it may be tried there or at the Common Law.

Contra formam Collationis.

I. **Weſt.** 2. 41. 13 E. 1. If lands given to Abbies, Priories, Hoſpitals, or other Religious Houſes, or to maintain a Chantery, a light, or Alms, be alienated, the King ſhall ſeize it, and the purchaſer ſhall loſe both the land and his money.

II. If the houſe were founded by a Subject, he ſhall recover the land by a Writ; *which ſee in the Statute at large.*

III. If it were given to maintain a Chanterie, a light, or Alms, and not alienedy but the duty withdrawn two years together, the donor or his heir ſhall recover it by *Ceſſavit.*

Conventicles.

I. **Stat.** 16 *Car.* 2. *cap.* 4. The *Stat.* of 35 *El. cap.* 1. declared to be in force, and further remedies againſt the dangerous practices of ſeditious Sectaries, and other meetings in Conventicles, under colour of exerciſe of Religion: and the Act at large, being upon continuance for 3 years after the end of this Parliament, and to the end of the next ſeſſion of Parliament, after the ſaid 3 years, and no longer.

Conuſance.

I. **Stat.** 9 *H.* 4. 5. Where in Aſſizes and Pleas of land or rent within Franchiſes and ancient Demeſne againſt certain perſons, the names of the Mayors, Bailiffs, or Communalties in Franchiſes, and of the Lords or Bailiffs in ancient Demeſne, are therein alſo by colluſion inſerted, ſuppoſing them alſo to be diſſeiſors, or tenants of the land, and with purpoſe to exclude them from the conuſance of the matter in Plea, which by reaſon of their Franchiſes and Liberties ought to be diſcuſſed before them; in ſuch Aſſizes and Writs the

the Juſtices ſhall (upon requeſt) firſt inquire by the ſame Aſſize, whether they be (indeed) diſſeiſors or tenants, or whether their names be inſerted by fraud, as aforeſaid.

II. If it ſhall be found by fraud, the Aſſizes or Writs ſhall abate, and the Plaintiff ſhall be grievouſly amercied; notwithſtanding there be others named therein, who are in truth diſſeiſors or tenants.

III. **Stat.** 8 *H.* 6. 26. In Aſſizes or perſonal actions, if the Defendant make default by colluſion, with purpoſe that Mayors, Bailiffs, or other Communalties, or Lords and Bailiffs ſhould loſe their juriſdictions, the Juſtices ſhall (upon requeſt) inquire thereof by Aſſizes or inqueſts, where both the Plaintiffs and the owners of ſuch Franchiſes and Liberties may have their challenges: And if colluſion be found, the Writs ſhall abate, and the Plaintiff ſhall be amercied.

Copiholds.

I. **Stat.** 7 *Jac.* 21. Compoſitions made by Decrees in the Exchequer and Duchie *Chambers* with the Kings Copihold tenants concerning their Copiholds, within three years from the firſt day of this Parliament, are confirmed, ſaving the right of all others.

☞ Cordwainers, Curriers, Tanners, and Leather.

* I. **Stat.** 27 *H.* 8. 14. None ſhall pack any Leather to be tranſported but by a Packer ſworn, in pain to forfeit the leather, or the value thereof: And every ſtranger ſhall pay for the cuſtome of a Dicker of leather 4 s. 9 d. and a Denizon 4 s. 1 d.

II. The Cuſtomers and Controllers ſhall name and appoint a Toller in every Port where none are, and ſhall alſo give him his oath for the due execution of his Office in the preſence of the Cuſtomer and Controller, or their Deputie or Deputies.

III. The fee for tolling leather is, for every Dicker, of a ſtranger, 6 d. whereof the Toller is to have 2 d. and the Communalty there the reſt; of a Denizon, 4 d. to be divided betwixt the Toller and the Communalty; and of a Free-man of the Port, 2 d.

IV. The Cuſtomers and Controllers ſhall alſo appoint and ſwear a Packer in every Port reſpectively, who may put up in one pack as many Dickers under ſeven as the owner of the leather pleaſeth; and his fee is 4 d. a pack.

V. If the Packer pack any leather before it be tolled and entred by the Cuſtomer or his Deputy, or pack more then ſhall be entred,

he ſhall forfeit for every ſuch offence 5 l. and ſuffer impriſonment at the King's pleaſure; and if the Toller number any leather in the abſence of the Cuſtomer, Controller, or his or their Deputy or Deputies, he ſhall forfeit five marks.

VI. If any ſtranger, or his Factor, convey any leather from one Port to another, with an intent to tranſport it alſo afterwards from the ſecond Port, he ſhall cauſe the ſame to be Tolled, entred, and packed at the ſecond Port, and ſhall have a certificate thereof from the Cuſtomer there, in pain to forfeit the ſame, or the value thereof.

VII. None having a Tanne-houſe ſhall tranſport any leather (without the King's licence) in pain to forfeit the ſame, or the value thereof.

VIII. Theſe forfeitures ſhall be divided betwixt the King and the proſecutor.

IX. This Act ſhall not prohibit a Captain of a Ship of the King's in time of war, nor the owner nor Maſter of a Ship bound for a voyage, to take ſalt hides with them, ſo they exceed not the number of 18 Alſo untanned hides of beaſts killed in *Wales*, or the Marches, may be tranſported notwithſtanding this Act, except by one keeping a Tanne-houſe.

* X. **Stat.** 5 *E.* 6. 15. None ſhall buy or ingroſs leather, to the intent to ſell the ſame again, in pain to forfeit the ſame leather, or the value thereof, to be divided betwixt the King and the proſecutor or ſeiſor.

XI. This Statute ſhall not reſtrain Girdlers, or other Artificers, to ſell their necks, wombs, or ſhreds, nor the buying of ſo much leather as the party which buyes it hath licenſe to tranſport.

XII. None ſhall tranſport any Shoes, Boots, Buſkins, Start-ups, or Slippers, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the proſecutor or ſeiſor.

XIII. No Girdler, or other cutter of leather, ſhall curry it in his own houſe, in pain to forfeit the ſame, to be divided betwixt the King and the proſecutor.

* XIV. **Stat.** 1 *M. Parl.* 2. 8. No Artificer uſing the Myſterie of leather-buying ſhall buy any leather, and ſell the ſame again to be tranſported, in pain to forfeit the ſame, to be divided betwixt the King and the proſecutor.

XV. No Curriers in *London* ſhall uſe their own ſtuff, in pain to forfeit the leather otherwiſe curried.

XVI. No Currier ſhall curry any hides betwixt St. *James-tide* and the *Ladie-day*, but onely ſuch as have been ſufficiently dipped twice in the pan, in pain to forfeit the ſame, to be divided as aforeſaid.

XVII. A Currier ſhall dreſs his leather within the ſpace of five days

days in Summer, and of ten days in Winter, in pain to forfeit to the party grieved for every hide otherwiſe dreſſed 10 s.

* XVIII. **Stat.** 5 *El.* 22. None ſhall make any Pelts, *viz.* pull or take away any wool from any Sheep or Lamb-ſkins, or buy any kind of Stag, Hind, Buck, Doe, Goat, Fawn, or Kid, or the pelts of any of them, unleſs they make thereof tawed, or leather lawfully tanned, or parchment, or otherwiſe convert the ſame into ſemits, pannels, or other their own neceſſary uſes, in pain to forfeit the value of ſuch ſkins, and 2 s. 6 d. for every ſkin otherwiſe uſed.

* XIX. **Stat.** 18 *El.* 6. None ſhall ſhip any leather, tallow, or raw hides (except *Scorch* hides, according to the *proviſo* of 5 *El.* 8. now repealed by 1 *Ja.* 22.) in pain to forfeit the ſame, and the treble value; and the owner of the ſhip knowing the ſame, to forfeit his ſhip and the furniture thereof; and the Maſter thereof alſo knowing the ſame, to forfeit all his goods, and to ſuffer one year's impriſonment without bail. The forfeitures are to be divided betwixt the King and the proſecutor.

XX. If the Owner, Maſter, or Mariner, within 3 moneths after his knowledge thereof, or at his return into *England*, ſhall upon oath diſcover it *bona fide* to one of the Barons of the Exchequer, either of the Lords Preſidents, or an head-officer of the Port where he lands, and afterwards ſhall be ready to juſtifie it; he ſhall be thereupon excuſed.

XXI. He that tranſports any Leather, Tallow, or raw hides, (otherwiſe then according to the aforeſaid *proviſo*) ſhall pay by the name of Subſidie, 10 s. for every hide, 3 s. 1 d. for every dozen of Calfs-ſkins, and 6 s. 8 d. for every 100 weight of Tallow.

XXII. The Cuſtomers, *&c.* ſhall be accountable to the Queen for the ſaid ſubſidie, and ſhall pay the ſame unto her, upon the pain contained in 3 *H.* 6. 3.

* XXIII. **Stat.** 1 *Ja.* 22. None ſhall gaſh any Hide, in pain of 20 d. nor water them, except in *June*, *July* and *Auguſt*, nor put them to ſale being putrefied, in pain to forfeit for every Hide ſo watered or put to ſale 3 s. 4 d.

XXIV. None ſhall kill any Calves under five weeks old, in pain to forfeit for every Calf ſo killed 6 s. 8 d.

* XXV. No Butcher ſhall exerciſe the myſterie of a Tanner, in pain of 6 s. 8 d. for every day he ſo continues both profeſſions.

XXVI. None ſhall be Tanners but ſuch as have ſerved ſeven years as Apprentices or hired ſervants in that Trade, or the Widow or children of a Tanner, having a Tanne-fat left them, and having been brought up in that Profeſſion by the ſpace of four years, in pain to forfeit all the leather they tanne, or the full value thereof.

XXVII.

XXVII. None that uſeth the cutting or working of Leather ſhall be a Tanner, in pain to forfeit all the Leather he tannes, or the value thereof.

XXVIII. None ſhall buy any rough Hides, or Calf-ſkins in the hair, but onely ſuch as do or may lawfully tanne them, (except ſalt Hides, for the neceſſary uſe of Ships) in pain to forfeit them, or the juſt value: Neither ſhall any foreſtall Hides, but buy them in open Fair or Market, (except of ſuch as kill beaſts for their own proviſion) in pain to forfeit for every Hide otherwiſe bought 6 s. 8 d.

XXIX. None ſhall buy any tanned Leather unwrought, but onely ſuch as will and ſhall convert the ſame into made wares.

XXX. This Act ſhall not reſtrain Artificers from buying tanned Leather every Monday at *Leaden-hall*, to be converted into made wares, being firſt duly ſearched, ſealed, and regiſtred, as hereafter is limited; nor Girdlers or Sadlers, from ſelling their necks or ſhreds of tanned red Leather.

XXXI. The Tanner that over-limes his Hides, or uſeth in his tanning any thing ſave Aſh-bark, Oak-bark, Tapwort, Malt, Meal, Lime, Culver-dung, or Hen-dung, or ſuffers them to be frozen, or to be parched with fire or Sun, or tannes ſuch as are rotten by long lying or otherwiſe, or continues not utter-ſole Leather twelve moneths in the woozes, and upper Leathers 9 moneths, or doth negligently work his Hides in the woozes, not renewing and ſtrengthening them as often as need ſhall require, or doth work them in any other ſort then is by this Statute limited, ſhall forfeit every Hide ſo tanned and put to ſale, or the full value thereof.

XXXII. No Tanner ſhall by mixtures raiſe any Hide for ſole-Leather which ſhall not be fit for that uſe, in pain of forfeiting the ſame.

XXXIII. None ſhall put to ſale any tanned Leather red, and unwrought, but in open Fair or Market, unleſs the ſame hath been ſearched and ſealed in ſome Fair or Market before; neither ſhall any offer to ſell any ſuch Leather, before it be ſearched and ſealed, in pain to forfeit for every Hide otherwiſe put to ſale, 6 s 8 d. and for every dozen of Calf-ſkins, or Sheep-ſkins, 3 s. 4 d. beſides the Hides and Skins themſelves, or the full value thereof.

XXXIV. None ſhall put to ſale any Leather inſufficiently tanned or dried, in pain to forfeit the whole, or at leaſt ſo much as ſhall be ſo miſuſed.

XXXV. No Tanner ſhall haſten the tanning of his Leather by giving it unkind heats with hot wooze, or otherwiſe, in pain of

of 10 l. and to ſtand upon the Pillorie three days, in the next Market.

XXXVI. None ſhall buy or ingroſs Bark to the intent to ſell the ſame again, in pain to forfeit it, or the value thereof; neither ſhall any fell Oak-trees apt for Barking, where Bark is worth 2 s. the Cart-load, (Timber for the neceſſary repair of houſes, Ships, and Mills, excepted) but onely betwixt the firſt of *April* and the laſt of *June*, in pain to forfeit the trees otherwiſe felled, or the double value of the ſame.

XXXVII. Purveyors of trees for the King's uſe ſhall fell them onely in barking time, (except for the preſent repair of the King's Houſes or Ships) and ſhall take no more thereof from the owner, then what may ſerve the King's preſent occaſion, in pain to forfeit to the party grieved for every tree, and for the lop, top, or bark of every tree taken contrary to this Act, 40 s. And it ſhall be lawfull for the owner to retain the lop, top, and bark of every ſuch tree.

XXXVIII. A Currier ſhall not curry a Hide or skin which is not ſufficiently tanned and dried, and that in his own houſe, ſituate in ſome Corporate or Market-town, and not elſewhere; neither ſhall he gaſh, or other way ſpoil or impair them, but work them ſufficiently in all points, in pain to forfeit for every Skin or Hide ſo ſpoiled (otherwiſe then by gaſhing in ſhaving them) 6 s. 8 d. beſides the value of the ſame Skin or Hide; and for gaſhing them, to forfeit to the party grieved twice ſo much as he impairs them thereby.

XXXIX. No Artificer within *London* or three miles diſtance from it ſhall put any leather to be curried, ſave onely to ſome perſon free of the Company of Curriers in *London*, in pain to forfeit the ſame, or the value thereof.

XL. None within the foreſaid Juriſdiction of *London* ſhall uſe or put into made wares any curried leather, before the ſame be ſearched and ſealed, in pain to forfeit for every Hide or Skin 6 s. 8 d. and alſo the value of every ſuch Hide or Skin.

XLI. A Currier ſhall not uſe the Art of a Tanner, Cordwainer, Shoe-maker, Butcher, or of any other Artificer which uſeth the cutting of leather, in pain to forfeit for every Hide or Skin he currieth during that time, 6 s. 8 d.

XLII. No Currier (ſufficient ſtuff being tendred unto him) ſhall refuſe ſufficiently to curry leather within eight days in Summer, and ſixteen days in Winter, after he ſhall or may take it in hand, in pain to forfeit for every Hide or piece of leather not curried accordingly, 10 s.

XLIII. The Wardens of the Company of Curriers (or officers by

by them appointed) ſhall, within one day after requeſt made unto them, ſearch and ſeal leather curried, for which the Currier ſhall pay after the rate of 1 d. for every Dicker of hides, and as much for every ſix dozen of Calf-ſkins. And the Currier ſhall forfeit for every hide not ſearched and ſealed as aforeſaid, 6 s. 8 d.

XLIV. Shoe-makers ſhall make their Boots, &c. of good and ſufficient ſtuff, ſew them well, and not put them to ſale upon Sundays, in pain to forfeit for every ſuch default or offence 3 s. 4 d. and alſo the full value of all wares otherwiſe made or ſold.

XLV. The Maſters and the Wardens of the Company of Shoemakers, Curriers, Girdlers and Sadlers, within the Juriſdiction of *London* aforeſaid, or the more part of them, ſhall once every quarter (or oftener, if need require) make ſearch and view of all wares made of tanned leather, in pain to forfeit 40 s. for every year's default, to be divided betwixt the King and the proſecutor, and ſhall alſo have power to ſeize all inſufficient wares found upon ſearch.

XLVI. The ſaid Maſters and Wardens ſhall onely ſearch the wares of ſuch as are of their own profeſſions, and Coach-makers ſhall be under the ſurvey and ſearch of the Company of Sadlers.

XLVII. The Mayor and Aldermen of *London* ſhall (within the ſaid juriſdiction, and upon the like pain of 40 s. to be imployed as aforeſaid) chuſe and ſwear 8 expert men out of ſome of the four Companies aboveſaid, to be ſearchers and ſealers of all tanned leather there, whereof one ſhall be aſſigned to keep the ſeal.

XLVIII. Head-officers in Corporate and Market-towns, and Lords of Liberties, ſhall yearly in all other parts of the Kingdome (upon the like pain of 40 s. to be imployed as aforeſaid) appoint and ſwear two, three, or more, honeſt and ſkilful men, to be ſearchers and ſealers of leather, who ſhall have power to ſeal ſufficient wares, and likewiſe to ſeize and retain ſuch as be inſufficient, untill they ſhall be tried by triers to be hereafter appointed by this Act.

XLIX. There ſhall be appointed ſix triers of inſufficient leather and leather-wares, which ſhall be ſeized within the ſaid juriſdiction of *London*; and when any ſuch leather or wares are ſeized within any other juriſdiction, the chief Officer, or Lord of the Liberty, or his Deputy, ſhall cauſe triall thereof to be made, by the oath of ſix honeſt men, upon ſome Market-day, and within fifteen dayes after ſuch ſeiſure made.

L. The Lord Mayor of *London*, and the head Officer, and Lord or Deputy aforeſaid, ſhall appoint triers in their ſeveral juriſdictions, in pain of 5 l. to be divided betwixt the King and the proſecutor; and theſe triers ſhall do their duties in that Office without delay, in pain to forfeit for every default 5 l.

LI. Four

LI. Four of the triers in *London* ſhall be yearly changed, and other four placed in their rooms, and none ſhall continue in that Office there above two years; and if any happen to be trier two years together, he ſhall not be choſen again within three years after, in pain to forfeit for every moneth he continues otherwiſe in that Office 10 l.

LII. No ſearcher or ſealer of leather ſhall refuſe within convenient time to do his office, or allow any wares which are ſufficient, in pain of 40 s. and ſhall not take bribes, or exact more then due fees, in pain of 20 l. nor being lawfully elected ſhall refuſe the office, in pain of 10 l.

LIII. All red tanned leather, which ſhall be brought within the aforeſaid juriſdiction of *London*, ſhall be carried to *Leaden-hall* before it be houſed, and there ſearched, ſealed, and regiſtred by the Officers aforeſaid, for which, if it were ſealed before, (out of the ſaid juriſdiction) they ſhall take half fees onely.

LIV. None ſhall ſell any tanned leather within the aforeſaid juriſdiction of *London*, before the Officers there have ſearched and ſealed it, in pain to forfeit the ſame, or the value thereof.

LV. None ſhall withſtand the ſearchers and ſealers in the due execution of their Office, nor the ſeizing of inſufficient wares, in pain of 5 l.

LVI. The aboveſaid ſearchers and ſealers ſhall regiſter all tanned leather ſold in Fairs or Markets, together with the prices thereof, and the names and dwelling-places of the buyer and ſeller (being thereunto required by the ſaid buyer and ſeller) taking as well of the buyer as the ſeller 2 d. for every ten hides, backs, or butts of leather, and 2 d. for every ſix dozen of Calf-ſkins or Sheep-ſkins, and no more.

LVII. None ſhall ſell any tanned leather (red and unwrought) before it be regiſtred, in pain to forfeit the value thereof.

LVIII. None ſhall buy any tanned leather before it be ſearched and ſealed, nor carry it out of the Fair or Market before it be regiſtred, in pain to forfeit the ſame, or the value thereof.

LIX. The Currier within the juriſdiction of *London* aforeſaid, which currieth not his leather ſufficiently, and every other Artificer there (uſing tanned and curried leather) which putteth into his wares leather inſufficiently tanned or curried, ſhall forfeit for every ſuch default the ſaid wares, and the juſt value thereof.

LX. No ſuch Artificer ſhall ſell any wares but in open Shop, Fair, or Market, where due ſearch may be made, in pain to forfeit the wares otherwiſe ſold; and beſides ten ſhillings for every ſuch offence.

LXI. Here

LXI. Here the ſummes of money aforeſaid forfeited ſhall be divided into three parts, whereof the King is to have one, the proſecutor another, and the City, Corporation, or Lord of the Liberty the third.

LXII. The value of the wares forfeited within the juriſdiction of *London*, after praiſement, ſhall alſo be divided into three parts, whereof one ſhall be given to the ſeiſor, another to the Chamber of *London*, and the third to the poor: And in all other places, one third part to charitable uſes, another to the Head-Officer or Lord of the Liberty, and the third to the ſeiſor or ſeiſors for his or their pains.

LXIII. None ſhall buy any forfeited wares to ſell them again, in pain to forfeit for every parcell thereof 3 s. 4 d.

LXIV. This Act ſhall not prejudice the authority of the Univerſities, ſo that their Officers obſerve the proviſion of this Act under the penalties therein contained.

LXV. The Hides or Skins of Oxe, Steer, Bull, Cow, Calf, Deer, Goats and Sheep, being tanned or tawed, and ſalt Hides, are reputed Leather within the letter of this Statute.

☞ LXVI. Juſtices of Aſſize or Gaol-delivery, and of Peace, Stewards of Leets, the Mayor of *London*, and Head-Officers within their ſeveral Precincts, have power to hear and determine theſe offences.

LXVII. The King's Steward of a Leet or Liberty ſhall have the the ſame authority, and be ſubject to the ſame penalties, that a Lord of a Leet hath and is ſubject to.

LXVIII. It ſhall be lawfull for all Artificers (ſave onely Shoemakers, between *September* and the twentieth of *April*) to uſe dry, curried and friſed leather, being well tanned according to this Act.

LXIX. This Act ſhall not extend to *Wales*.

LXX. If any Cuſtomer, or other ſuch Officer, having notice of the tranſporting of any leather, do not uſe his beſt endeavor to ſeize it, or being tranſported, do not diſcloſe it within fourty days, he ſhall forfeit for the firſt default 100 l. and for the ſecond loſe his place: And every ſuch Officer, for making a falſe certificate of the arrivall of any leather, ſhall alſo forfeit 100 l.

LXXI. This Act ſhall not extend to *Scotch* Hides brought to *Barwick*.

LXXII. Licenſes to diſpenſe with the offences prohibited by this Act ſhall be void.

LXXIII. **Stat.** 4 *Jac.* 6. There ſhall be no penalty for houſing, buying or ſelling Sheep-ſkins unſealed.

LXXIV. None

LXXIV. None ſhall ſell tanned leather by weight, in pain to forfeit the ſame, or the value thereof, to be divided betwen the King and the proſecutor.

See Title Leather.

☞ Corn and Grain.

☞ Stat. 5 *Eliz.* 12. None but a married man and houſholder of the age of 30 years (at leaſt) ſhall take upon him to be a Badger, Lader, Kidder, Carrier, Buyer or Tranſporter of Corn or Grain, Butter and Cheeſe; neither he without licence in open Seſſ. of the County where he hath dwelt by the ſpace of three years before, under the hands and ſeal of (at leaſt) three Juſtices (1. *Q.*) in pain of 5 l. which licence ſhall remain in force for one year onely from the date thereof: and all licenſes otherwiſe granted ſhall be void.

☞ II. The Juſtices of Peace in Seſſions ſhall (at their diſcretions) take recogniſances of Badgers, *&c.* that they ſhall not foreſtall or ingroſs, or put in practice any Act contrary to 5 and 6 *E.* 6. 14.

III. The Clerk of the Peace ſhall write and enter the licenſe and recogniſance, and his fees ſhall be, *viz.* for writing the licenſe 12 d. for writing the recogniſance 8 d. and for entring them both into a Regiſter-book 4 d. which Book he ſhall bring to every Seſſions.

IV. This ſhall not give liberty to any Badger, *&c.* to buy Grain out of open Fair or Market (to ſell again,) unleſs there be ſpecial words in his licenſe to warrant the ſame, in pain to forfeit for every time ſo offending 5 l.

V. Theſe forfeitures are to be divided betwixt the Queen and the proſecutor.

VI. The Queen's moiety ſhall be eſtreated according to the uſual manner, and the proſecutor's levied by *Fiery facias* or *Capias*; but when the ſuit is wholly the Queen's, the whole ſhall be eſtreated for her uſe.

VII. Juſtices of Peace have power to hear and determine theſe offences in Seſſions by inquiſition or verdict, or otherwiſe upon the oath of two witneſſes, (at their diſcretions) and to make proceſs thereupon.

VIII. This Act ſhall not reſtrain Purveyors of Cities and Towns Corporate, neither yet the inhabitants of the Counties of *Weſtmerland*, *Cumberland*, *Lancaſter*, *Cheſter* and *York*.

☞ IX. Stat. 13 *Eliz.* 13. For the increaſe of tillage, and the

the maintenance of the Navy and Mariners, the Lords Presidents and the Councils in the North and *Wales*, Justices of Assise in their Circuits, and Justices of Peace in their Sessions, have power to license or prohibit the transportation of Grain at their discretions: Provided, their order be first approved by the Queen or her Council, which also may be countermanded by the Queen's Proclamation, if there be cause for it.

X. **Stat.** 3 *Car.* 4. Corn may be transported to the Kingdom of Allies when Wheat is sold for 32 s. Rie for 29 s. Beans for 16 s. and Barley or Malt for 16 s. the quarter, or under.

See Title Trade, *num.* 1.

Coroner.

I. **Welt.** 1. 10. 3 *E.* 1. Sufficient men of the most wise and discreet Knights shall be chosen in all Counties for Coroners.

II. The Sheriffs shall have counterparts with the Coroners of all things which concern their Office.

III. They shall take nothing of any man to doe their office, in pain of great forfeiture to the King.

IV. **Stat.** 4 *E.* 1. *Officium Coronatoris.* *See the Statute at large.*

V. **Stat.** *De Exonia, de inquisitione super Coronatores*, 14 *E.* 1. *See the Statute at large, together with the Articles thereunto annexed.*

VI. **Stat.** 14 *E.* 3. 8. A Coroner shall have sufficient in the County whereof to answer all people.

VII. **Stat.** 28 *E.* 3. 6. Coroners shall be chosen in the full Counties, of the most convenient and lawful men; saving unto the King and other Lords (that may make Coroners) their Franchises.

VIII. **Stat.** 1 *H.* 8. 7. Where one is slain by misadventure, the Coroner shall execute his office without fee, in pain of 40 s.

IX. Justices of Assise and Peace have power to inquire of and punish the defaults and extortions of Coroners.

Corporation.

I. **Stat.** 19 *H.* 7. 7. Corporations shall not make or execute any Ordinances in diminution of the prerogative of the King, or of other, or against common profit, except approved by the Chancellor, Treasurer, and the chief Justices, or three of them, or by the Justices of Assise, in pain of 40 l.

II. They

II. They ſhall make no Ordinance to reſtrain ſuits in the King's Court, upon the like pain of 40 l.

III. **Stat.** 22 *H.* 8. 4. They ſhall take but 2 s. 6. d. for the firſt entry of an Apprentice, and 3 s. 4 d. for his entry of Freedom, in pain of 40 l. to be divided betwixt the King and the proſecutor.

IV. **Stat.** 28 *H.* 8. 5. No Corporation ſhall by oath or bond reſtrain any Apprentice or Journey-man from keeping Shop, or take money of them for their freedom, or the occupying of their profeſſion, otherwiſe then as is limited by 22 *H.* 8. 4. in pain of 40 l. to be divided as aforeſaid.

V. **Stat.** 33 *H.* 8. 27. In Acts to be done by Corporations, the conſent of the greater part ſhall binde, and the Oath taken by them to the contrary ſhall not be obſerved.

VI. No perſon ſhall hereafter give any ſuch oath, in pain of 5 l. to be divided betwixt the King and the proſecutor.

VII. **Stat.** 13 *Car.* 2. *ca.* 1. An Act impowering the King to iſſue Commiſſions for governing and regulating Corporations. *Exp.* 25 *March* 1663.

Corpus cum cauſa, Certiorari, Habeas Corpus, & Superſedeas.

I. **Stat.** 2 *H.* 5. *Stat.* 1. 2. If a *Corpus cum cauſa* or *Certiorari* be granted out of the Chancery, to remove one that is in priſon upon an execution, at another man's ſuit, he ſhall be remanded.

II. **Stat.** 43 *El.* 5. No Writ of *Habeas Corpus*, or other Writ ſued forth to remove an Action, ſhall be allowed, unleſs it be delivered unto the Judge, or Officer of the Court, before the Jury appear, and one of them be ſworn.

III. **Stat.** 21 *Jac.* 8. Proceſs of the Peace and good behaviour ſhall not iſſue out of the Chancery or King's Bench, but upon motion in open Court, and good cauſe ſhewed upon oath, which ſhall alſo be indorſed upon the Writ: Howbeit if that cauſe ſhall be afterwards diſproved, the Judge or Judges of the ſaid Courts (reſpectively) ſhall commit the offender to priſon, until he pay the party grieved all his coſts and dammages.

IV. All Writs of *Superſedeas* ſhall be void, unleſs ſuch proceſs be likewiſe granted upon motion as aforeſaid, and upon ſuch ſufficient ſureties as ſhall appear to the Court upon oath to be Subſidymen aſſeſſed at 5 l. lands or 10 l. goods, and alſo, unleſs the proſe-

cution againſt the party for the peace or good behaviour be *bonâ fide:* and here, falſe ſureties procured for the gaining of ſuch Writs ſhall be puniſhed by the Judges.

V. *Certioraries* ſhall not be allowed, unleſs the indicted will become bound with ſufficient ſureties (ſuch as the Juſtices of Peace in Seſſ. ſhall like of) to pay to the proſecutor within one moneth after conviction ſuch coſts and dammages as the ſaid Juſtices ſhall aſſeſs.

VI. **Stat.** 21 *Jac.* 23. No Writ to remove a ſuit commenced in an inferiour Court ſhall be obeyed, unleſs delivered to the Steward, *&c.* of the ſame Court before iſſue or demurrer joyned; ſo as ſuch iſſue or demurrer be not joyned within ſix weeks after the arreſt or appearance of the Defendant.

VII. An Action or ſuit once remanded ſhall never afterwards be again removed.

VIII. When the thing in demand exceedeth not 5 l. the ſuit ſhall not be removed by any Writ ſaye onely by Writs of Error or attaint.

IX. This Act ſhall onely extend to Courts of Record, where an Utter-bariſter of 3 years ſtanding is Judge, Recorder, Steward, or, *&c.* or aſſiſtant to ſuch Officer there, and not of Council in any Action there depending.

X. Neither ſhall this Act extend to any Action which cannot be tried in ſuch inferiour Courts.

Couſenage, Ayel and Beſayel.

I. **Weſt.** 2. 26. 13 *E.* 3. In Writs of *Couſenage*, *Ayel* and *Beſayel*, the tenant's anſwer (that the Plaintiff is not next heir of the ſame Anceſtor, by whoſe death he demandeth his land) ſhall be admitted and inquired, and according to the ſame inquiſition the Juſtices ſhall proceed to judgment.

☞ Cottages.

* I. **Stat.** 31 *El.* 1. None ſhall erect or convert a building to be a cottage for habitation, unleſs he lay four acres of free-hold land of inheritance ſo near unto it, that they may be conveniently occupied therewith, in pain to forfeit 10 l. to the Queen for every ſuch erection or converſion, and 40 s. a moneth for the continuance.

II. No owner or occupier of any Cottage ſhall place or willingly ſuffer any more families then one to co-habit therein, in pain to for-

forfeit to the Lord of the Leet 10 s. for every moneth he ſo continues them together.

☞ III. Juſtices of Aſſize, Juſtices of Peace in their Seſſions and Lords of Leets, have power to hear and determine theſe offences.

IV. This Statute ſhall not extend to Cottages in Cities, Burroughs or Market-towns, or provided for labourers in Mines or Quarries within one mile from ſuch Mines or Quarries, or for Sea-faring men within one mile of the Sea or a Navigable River, or for a Keeper, Warrener, Shepherd or Herdſman, or for an impotent perſon; nor to any Cottages which upon an order by Juſtices of Aſſize in open Aſſize, or Juſtices of Peace in Seſſion, ſhall be decreed to continue for habitation, for ſo long time onely as by ſuch decrees they ſhall be tolerated.

☞ Counterfeit Letters.

I. **Stat.** 33 *H.* 8. 1. If any ſhall falſly obtain any money or other thing by colour of any falſe token or counterfeit letters, they being thereof convict by witneſſes or confeſſion before the Lord Chancellor, the Lords of the Council in the Star-chamber, Juſtices of Aſſize, Juſtices of the Peace, or by action in any Court of Record, ſhall ſuffer ſuch puniſhment as ſhall be adjudged by the perſon or perſons before whom they ſhall be ſo convict, the pains of death onely excepted.

II. Juſtices of Aſſize, and Juſtices of Peace (1. *Qu.*) ſhall have power to convert (by proceſs, or otherwiſe) to the Aſſ. or Seſſ. reſpectively any perſon ſuſpected to offend in that kinde, and to commit or bail him until the Aſſ. or Seſſ. or otherwiſe to order him at their diſcretions.

III. Juſtices in Corporations have like Authority for the puniſhment of ſuch offenders as Juſtices of Aſſize or Peace have in their ſeveral Precincts reſpectively.

IV. The remedy of the party grieved by way of action is ſaved.

☞ County and Turn.

I. **Magna Charta**, 35. 9 *H.* 3. County-Courts ſhall be held from moneth to moneth, or longer, if formerly ſo uſed; and the Sheriff (or his Bailiff) ſhall keep his Turn in the Hundred at the uſual place, and that onely twice a year, *viz.* after *Eaſter* and *Michaelmas*: Leets alſo ſhall be at *Michaelmas* without occaſion.

II. **Marlb.** 10. 25 *H.* 3. Arch-biſhops, Biſhops, Abbots, Priors,

Earls, Barons, or Religious men or women, are not to appear at the Sheriff's Turns, except for ſome other cauſe; and ſuch as have Hundreds of their own ſhall not be bound to appear at ſuch Turns, but onely in the Bailiwicks where they dwell.

III. **Weſt.** 2. 32. 3 *E.* 1. No Sheriff ſhall ſuffer Barrettors or Maintainers of quarrells, or Stewards of great Lords, or other (unleſs Attorney for his Lord) to make ſuit, or to give judgments in the Counties, or to pronounce them, if he be not required ſo to doe by all the ſuitors and Attorneys of the ſuitors there preſent, in pain that both the Sheriff and they ſhall be grievouſly puniſhed by the King.

IV. **Stat.** 31 *E.* 3. *Stat.* 1. 15. Every Sheriff ſhall hold his Turn yearly one time within the moneth after *Eaſter*, and another time within the moneth after *Michaelmas*, in pain to loſe his Turn for the time.

V. **Stat.** 19 *H.* 7. 24. The Shire-Court for *Suſſex* ſhall be holden one time at *Chicheſter*, and the next time at *Lewis*, *alternis vicibus*, in pain that the Courts otherwiſe kept, and the things therein tranſacted, ſhall be void.

VI. **Stat.** 2. 3 *E.* 6. 25. County-Courts ſhall be adjourned from moneth to moneth, and no longer.

VII. The Sheriff of *Northumberland* ſhall keep his County-Court at *Alnewick*, and not elſewhere.

☞ Coupers.

* I. **Stat.** 23 *H.* 8. 4. A Beer or Ale-brewer ſhall neither by himſelf nor others (for his uſe) make any veſſel whereby they ſhall put their Beer or Ale to ſale, but ſuch onely as ſhall be made and marked as is hereafter expreſſed, in pain to forfeit for every veſſel ſo made, 3 s. 4 d.

II. Coupers ſhall make their Beer and Ale-veſſels of good and ſeaſonable wood, and put their proper mark thereupon.

III. A Beer-barrel ſhall contain at leaſt 36 Gallons, a Kilderkin 18, and a Firkin 9. and an Ale-barrel 32 Gallons, a Kilderkin 16, and a Firkin 8. all of the King's Standard Gallon: And if the Couper make any bigger or leſſer, he ſhall ſet the true content upon them. Alſo the Couper ſhall not inhaunce the prices of his veſſel, in pain to forfeit for every ſuch veſſel defective or inhanced in price 3 s 4 d. *viz.* for a Beer-barrel 9 d. a Beer-kilderkin 5 d. and a beer-firkin 3 d. Alſo for an Ale-barrel 16 d. an Ale-kilderkin 9 d. and an Ale-firkin 5 d.

Note,

Note, that this clauſe, for ſo much as concerns the prices of veſſels, is repealed by 8 El. 9. *But Quære whether it doth not yet ſtand in force for defective veſſels.* Vid. 8 El. 9. infra.

IV. No Beer or Ale-brewer ſhall put any Beer or Ale for ſale in any veſſel which is not marked by the Couper, and of the contents above limited.

☞ V. Beer and Ale-brewers ſhall ſell their Beer and Ale at ſuch rates as ſhall be thought fit (in the Country) by the Juſtices of Peace, and (in Corporations) by the Head-Officers; in pain to forfeit for every Barrel 6 s. Kilderkin 3 s. 4 d. Firkin 2 s. and for every greater veſſel 10 s. and every leſſer 12 d.

VI. The forfeitures aboveſaid ſhall be divided betwixt the King and the proſecutor.

VII. Every Soap-maker ſhall cauſe his veſſell to be made as followeth: *viz.* every empty Barrel to contain 32 Gallons, and to weigh 26 pounds; the content of the half Barrel to be 16 Gallons, and the weight 13 pound; and the content of the Firkin 8 Gallons, and the weight ſix pound and an half; in pain to forfeit for every veſſel otherwiſe ordered 3 s. 4 d.

VIII. The Wardens of the Myſtery of Coupers within the City of *London* (taking with them an Officer of the Mayor) ſhall have power to ſearch and gage all veſſells made for Ale, Beer and Soap, to be put to ſale within *London* and the Suburbs, and within two miles compaſs without the Suburbs, (as well within the Liberties as without) and to examine their contents and weight, and (being found right) to mark them with St. *Anthonie's* croſs: which ſearchers ſhall have for their fee a farthing for every veſſel, to be paid by the owner thereof, and may retain the veſſel until the fee be paid; and if any be found defective, they have power to amend or burn them, and the owner of ſuch defective veſſel ſhall forfeit 12 d. to be diſpoſed as aforeſaid.

IX. In other places where there are no Wardens, the Head-officers ſhall doe it, and ſhall have the like power and advantage as thoſe of *London*.

X. This ſhall not prohibit a Beer-brewer to keep in his houſe a ſervant for to mend his veſſels.

XI. If any ſhall diminiſh a veſſel, by taking out the head or a ſtaff thereof, the veſſel ſhall be burnt, and the offender ſhall forfeit 3 s. 4 d. (to be diſpoſed as aforeſaid) and ſhall be farther puniſhed at the diſcretion of the Head-officers.

XII. An Ale-brewer may alſo retain a Couper in his ſervice to mend his veſſels.

XIII. Every Couper ſhall make his Ale-veſſel according to the

Aſſize expreſt in the Treatiſe called *Compoſitio menſurarum, viz.* every eight Gallons thereof to contain a Buſhel, according to the Aſſize limited by that Ordinance (which was made 51 *H.* 3.) in pain to forfeit for every veſſel otherwiſe made 3 s. 4 d. to be diſpoſed as aforeſaid.

XIV. Every Couper ſhall mark his veſſel with his own mark, in pain of 3 s. 4 d. to be levied and recovered as aboveſaid.

XV. The Searchers ſhall not put out the Ale to meaſure the veſſel, whereby it may be made worſe.

XVI. This ſhall not prohibit to carry Ale to the Houſes of his Majeſty and Honourable perſons in great veſſels, as Butts, Pipes, *&c.* And Ale-brewers may convey Ale to any man's houſe in Barrels, Kilderkins and Firkins, being the due content.

* XVII. **Stat.** 8 *Eliz.* 9. So much of the Statute of 23 *H.* 8. 4, as concerns the prices of veſſels is repealed.

XVIII. Coupers ſhall ſell their veſſells at ſuch rates as ſhall be yearly aſſeſſed (in Corporations) by the head-officers, and (in the Country) by the Juſtices of Peace (or the more part of them) in the Seſſ. after *Eaſter*.

XIX. If (after proclamations of the rates ſo aſſeſſed) any Couper ſhall ſell otherwiſe, he ſhall incurr ſuch penalties as by the ſaid Statute of 23 *H.* 8. 4. is ordained, *viz.* for every Barrel, Kilderkin and Firkin, 3 s. 4 d. to be impoſed and diſpoſed as in the ſame Statute is expreſt for ſelling ſuch veſſel above the due price.

Courts.

I. *In the time of* H. 8. *there were (amongſt others) three new Courts erected,* viz. *thoſe of the Augmentations, Firſt-fruits and Tenths, and General Surveyors: But theſe were afterwards annexed to the Exchequer by divers Acts of Parliaments, and Letters Patents of* H. 8. *and Qu.* M. *Nevertheleſs, in ſome of theſe Acts there remains yet ſomewhat in force, as hereafter followeth.*

II. **Stat.** 33 *H.* 8. 39. All Obligations and Specialties concerning the King ſhall be made to him and his heirs, Kings, in his own name, by theſe words, *Domino Regi*, and to no other perſon; and then for payment, *Solvendum Domino Regi, hæredibus, vel executoribus ſuis*, with other words uſed in common Obligations: and ſuch Obligations ſhall be of the nature of Statutes-ſtaple: and if the King die, leaving ſuch Obligations, they ſhall remain to his heirs or executors at the King's pleaſure.

III.

III. If any take Obligation that concerns the King in another manner, they ſhall ſuffer impriſonment, as ſhall be ordered by the King's Council.

IV. All ſuits for the King's debts in any Court mentioned in this Act, upon any Obligation or Specialty delivered before this Act, or to be delivered before the ſecond day of *May* next, ſhall be proſecuted in the King's name, to what perſon ſoever ſuch Obligation or Specialty were made; and they ſhall be of the nature of Statutes-ſtaple, as before.

V. The King in all ſuits for debts ſhall recover his coſts and dammages.

VI. Suits for the King's debts ſhall be in the proper Courts where they ſhall be due, whether it be the Exchequer, Dutchy, Augmentations, Surveyors, Wards and Liveries, Firſt-fruits and Tenths, or any of them; out of which ſuch proceſſes ſhall iſſue for the ſpeedy recovery of them, as the Court ſhall think fit.

VII. The ſaid Courts ſhall have power to hear and determine all actions, defaults, offences, and other things which ſhall ariſe upon any matter committed to the governance of the ſame Courts, wherein the King ſhall be onely party; and alſo all Eſtates for term of years betwixt party and party concerning the premiſſes, all treaſons, felonies and eſtates of freehold and inheritance, other then joyntures for term of life onely, excepted.

VIII. If any perſon ſhall make title to any lands ſold or exchanged to any in fee-ſimple or fee-tail by the King's Letters Patents, upon which a rent is reſerved to the King, his heirs and ſucceſſors, in the Court of Augmentations, or ſhall demand any rents, annuities, officers fees, or other profits, out of lands in fee-ſimple or in fee-tail, compriſed in any Letters Patents; or if the King ſhall make like title or claim to any lands of inheritance, or profits out of lands, aſſigned to the ſaid Court in any Letters Patents; that the ſaid Court, or more part of them, ſhall hear and determine ſuch titles and claims, and (without other Warrant) make recompence to the party grieved.

IX. If any Decree of the Court of Augmentation for any of the premiſſes extend onely to the loſs of the Patentee, for the life of the Demandant or Plaintiff, or for term of years; then ſhall the Chancellor of that Court (without any other Warrant) make recompence in money, or out of lands limited to the ſurvey of the ſame Court.

X. The aforeſaid Courts ſhall have power to ſet fines and amerciaments, and upon trials and other proceedings there, to examine by ſuch proofs and in ſuch manner as they ſhall think fit; and the

proceedings and decrees of the ſaid Courts ſhall be effectual in Law.

XI. The chief Officers of thoſe Courts may (without any other warrant) diſcharge all bonds and recogniſances there hanging, the debts being ſatisfied, and the conditions performed; and may alſo make void all recogniſances for appearance or other contempt.

XII. If any perſon to whom the King hath granted (with reſervation of rent) any lands of inheritance or for life within the ſurvey of any of the ſaid Courts, do not pay yearly unto the Treaſurer or Receiver General of the ſaid ſeveral Courts, at the day limited, or within three moneths after, all ſumms of money ſo reſerved, or make ſufficient tender thereof unto the ſaid Treaſurer or Receiver, he ſhall forfeit ſo much as the fourth part of the ſaid yearly rent ſhall amount unto: and if he pay not the rent and money forfeited, as aforeſaid, within ſix moneths, he ſhall forfeit ſo much as half the rent amounts unto; and for every half year after, ſhall forfeit ſo much as the whole year's rent doth amount unto.

XIII. The Treaſurer or Receiver General may diſtrain for the ſaid rents and forfeitures, and the Head-officers of the ſaid Courts may iſſue out proceſs for the recovery of the ſame at their diſcretions.

XIV. A Treaſurer, or Receiver general or particular, ſhall ſign with his own hand a lawful acquittance ready made to be ſigned by him without any fee, in pain of 40 s. to be divided betwixt the King and the proſecutor; and if the Treaſurer or Receiver or their Clerks make and ſign one, they ſhall take but 4 d. for it, in pain to forfeit 20 s. for every acquittance for which they take more, to be divided as aforeſaid: and every acquittance ſhall be a ſufficient diſcharge according to the tenor thereof.

XV. If any Receiver or his Clerk pay a penſion, or other annuity or rent, and have a ſufficient acquittance ſigned, ſealed and delivered unto him by the party that is to receive ſuch payment, he ſhall take nothing for ſuch acquittance, in pain to forfeit 20 s. and if the Receiver or Clerk provide ſuch acquittance, he ſhall not take above 4 d. for the ſame, in pain to forfeit alſo 20 s. neither ſhall the Receiver or his Deputy take above the rate of 4 d. in the pound for money which he ſhall ſo pay, in pain to forfeit 6 s. 8 d. for every peny he takes above. The ſaid forfeitures are to be divided betwixt the King and the proſecutor.

XVI. The Auditor that takes above 3 s. 4 d. for enrolling any Patent, Decree or Grant, ſhall forfeit 6 s. 8 d. for every peny ſo taken, to be divided as aforeſaid; and he ſhall enroll them (being tendred unto him) or as much thereof as concerns his office.

XVII.

XVII. Auditors ſhall cauſe Proclamation to be made in four Market-towns twenty days (at leaſt) before their coming into the County to keep their *Audit*, in pain of 5 l.

XVIII. Auditors ſhall ſend out their Precepts for the *Audit* betwixt *Michaelmas* and *Chriſtmas*.

XIX. An Accomptant that (after notice) doth not appear at the *Audit*, or appearing refuſeth to accompt, or accompting defers to pay his charge to the Receiver above three weeks after, or conceals or withdraws any rent or other profit, ſhall forfeit his Office and fee, and for concealing or withdrawing ſhall forfeit three times ſo much as is concealed or withdrawn, proof of the ſaid defaults being made to the Head officer of any of the ſaid Courts; and the ſaid Courts ſhall thereupon award proceſs in the nature of Attachments for remedy thereof.

XX. In all actions for debts accruing to the King upon attainder, outlawry, forfeiture, gift, or other collateral way, it ſhall be ſufficient to ſhew generally, that the party unto whom ſuch debt did belong, ſuch year and day did give it to the King, or was attainted, outlawed, or other act committed whereby it came to the King, without alledging the particular circumſtances: And in ſuch caſe the King ſhall be preferred both in ſuit and execution, before any other perſon whatſoever.

XXI. Lands of inheritance, which were the King's debtor's, are chargeable with the King's debts, unto whomſoever (after the debtor's death) they ſhall deſcend, remain, or come.

XXII. The King's debts are payable by the heir, though he be not named in the Recogniſance, Bond, or other Specialtie, and notwithſtanding the land which comes unto him be intailed.

XXIII. The Executor and Adminiſtrator are alſo chargeable, if they have Aſſets.

XXIV. This Act ſhall not prejudice any who claim the lands chargeable by any juſt and former title without fraud.

XXV. Upon ſufficient cauſe ſhewed why the lands ſhould not be charged, the Court ſhall diſcharge them of the King's debt.

XXVI. If the lands chargeable be in ſeveral mens tenures, they ſhall be intirely charged, and not ſeverally.

XXVII. This Act ſhall not diminiſh any of the Liberties or Privileges of the Dutchie or County Palatine of *Lancaſter*.

XXVIII. All Proceſſes and Executions for debts growing in the Exchequer ſhall be made by the Officers of that Court, but in ſuch kind as is limited by this Act.

XXIX. Stat. 1 *M. Parl.* 1. 10. The Queen may by her letters Patents alter, diſſolve, or reduce into one or more the Courts of

of Augmentations, Firſt-fruits and Tenths, Wards, Surveyors, and the Dutchie; or may annex any of them together, or unto any other Court of Record; or erect of the ſame any other new Court or Courts.

XXX. Provided, that nothing in the ſaid Letters Patents to be contained ſhall charge the Subject otherwiſe then as he ought to have been charged before the ſecond day of this Parliament; and that the Officers of the ſaid Courts ſhall not hold Plea, but onely where the Queen is party againſt any of her Subjects.

XXXI. Provided alſo, that if the Queen ſhall annex any of the ſaid Courts to the Exchequer, all things within the ſurvey of the Court or Courts ſo annexed ſhall be ordered the Exchequer-way; ſaving to all perſons their Offices, Rents, Annuities and Fees, to be paid out of any of the Queen's Courts, where there ſhall be ſufficient revenue to anſwer the ſame.

XXXII. Stat. *16 Car.* 10. 17. *cap.* 10. The Court of Star-Chamber, the Court holden before the Preſidents and Councils in the Marches of *Wales* and the Northern parts, the Court of the Dutchie of *Lancaſter*, holden before the Chancellor and Council of that Court, the Court of Exchequer of the County Palatine of *Cheſter*, holden before the Chamberlain and Council of that Court, and all other Courts of like Juriſdiction, and alſo all Warrants and Directions of the Council-board for commitments, reſtraints or impriſonments awarded by the King or his Council, are abſolutely diſſolved, annulled, and made void. *See the Statute at large.*

XXXIII. Stat. 16. 17 *Car.* 15. An Act made againſt divers incroachments and oppreſſions in the Stannary Courts. *See the Statute at large.*

XXXIV. Stat. 12 *Car.* 2. *cap.* 24. The Court of Wards and Liveries, and all Wardſhips, Tenures *in capite*, liveries, *Primer ſeiſins*, *Ouſter le maines*, *&c.* and other dependencies upon the ſaid Court, taken away and diſcharged, and the Act of 32 *H.* 8. *cap.* 6. & 33 *H.* 8. *cap.* 22. repealed.

XXXV. *Proviſo*, Not to take away any rents, heriots or ſuits of Court, or other ſervices belonging to tenures now taken away, or in common ſoccage, or to grow due to the King, mean Lord or other private perſons, or the fealty and diſtreſs incident thereunto: and ſuch relief ſhall continue in reſpect of ſuch rent, as is paid in caſe of death of tenant in common ſoccage.

XXXVI. Nor to take away any fines for alienations due by particular cuſtomes, of particular mannors and places, other then for lands held of the King *in capite*.

XXXVII. Nor to take away tenures in frank-almoign, nor alter any

any tenures by copy of Court-Roll, nor any ſervices of Grand-ſergeanty, other then Wardſhip, Marriage, and aids aforeſaid.

XXXVIII. Parents may diſpoſe of the cuſtody of their children untill they attain the age of 21 years.

Courts and Juriſdictions Eccleſiaſtical.

I. **Stat.** 17 *Car.* 1. *cap.* 11. A recital of the branch of the *Stat.* 1. *El. cap.* 1. whereby the high-Commiſſion Court was erected, for viſiting, reforming and correcting all Hereſies, Schiſms, *&c.* and a Repeal of the ſame: And enacted that no new Court be erected with like Power, Juriſdiction or Authority: but all Letters patents for that purpoſe, and all authorities thereby granted, to be void.

II. **Stat.** 13 *Car.* 2. *cap.* 2. Reciting the Act of 17 *Car.* 1. *cap.* 27. for diſinabling all perſons in holy orders to exerciſe any temporal juriſdiction or authority, and that the ſame having made ſeveral alterations prejudicial to the ancient rights of Parliament, and contrary to the laws of the land, and by experience is found inconvenient, doth repeal and adnull the ſaid recited Act to all intents and purpoſes whatſoever.

III. **Stat.** 13 *Car.* 2. *cap.* 12. An explanation of a clauſe contained in the Act of 17 *Car.* 1. *cap.* 11. touching the repeal of a branch of the Statute of 1 *El. cap.* 2. *viz.* It is declared, That neither the ſaid Act nor any thing therein contained doth take away any ordinary power or authority from the ſaid Arch-biſhops, Biſhops or perſons therein named, but that they may uſe all Eccleſiaſtical juriſdiction as formerly in cauſes belonging to the ſame.

IV. *Proviſo*, and enacted, that it ſhall not be lawfull for any Arch-Biſhop, Biſhop, Chancellor, or other Eccleſiaſtical Judge, Officer, or perſon having or exerciſing ſpiritual or Eccleſiaſtical juriſdiction, to tender or adminiſter unto any perſon whatſoever the oath *Ex officio*, or any other oath whereby ſuch perſons to whom the ſame is adminiſtred may be charged or compelled to confeſs, or accuſe, or purge him or her ſelf of any criminal matter or thing, whereby he or ſhe may be liable to cenſure or puniſhment.

V. *Proviſo*, Not to give any other juriſdiction to any Arch-Biſhops, *&c.* then they had by law before the year 1639. nor to abridge or diminiſh the King's ſupremacy in Eccleſiaſtical matters, nor to confirm the Canons made in the year 1640. nor any laws or Canons not formerly confirmed or enacted by Parliament, or eſtabliſhed by the Laws as they ſtood in the year 1639.

Croſs-

☞ Croſs-bows and Hand-guns.

* I. **Stat.** 33 *H.* 8. 6. None ſhall ſhoot in or keep in his houſe any Croſs-bow, Hand-gun, Hagbut, or Demihake, unleſs his lands be of the value of 100 l. *per annum*, in pain to forfeit 10 l. for every ſuch offence.

II. None ſhall ſhoot in or have any Hand-gun under the length of one yard, nor Hagbut or Demihake under the length of three quarters of a yard, in pain to forfeit 10 l. And it ſhall be lawfull for any man, having lands of 100 l. *per annum*, to ſeize any ſuch Gun or any Croſs-bow uſed or kept contrary to the form of this Statute; but then he ought to break them within 20 days after, in pain of 40 s.

III. None ſhall travell with a Croſs-bow bent, or Gun charged, except in time of war, or ſhoot within a quarter of a mile of a City, Borough, or Market-Town, except for the defence of himſelf or his houſe, or at a dead mark, in pain of 10 l.

IV. None ſhall command his ſervant to ſhoot in any Gun or Croſs-bow, except at a dead mark, or in time of war, in pain of 10 l.

V. The penalties aboveſaid ſhall be divided betwixt the King and the proſecutor.

VI. Howbeit the followers of Lords (Spiritual or Temporal) Knights, Eſquires, Gentlemen, and the inhabitants of Cities, Burroughs, or Market-towns, may keep in their houſes, and uſe to ſhoot (but at a dead mark onely) with Guns, not under the lengths aboveſaid; ſo may the Owner of a Ship for the defence of his Ship, and alſo he that dwells two furlongs diſtant from a Town, or within five miles of the Sea-coaſt; and this laſt may ſhoot at any wilde beaſt or fowl, ſave onely Deer, Heron, Shovelard, Feſant, Partridge, wild Swan, or wilde Elke.

VII. Thoſe which have power from the King to take away Guns and Croſs-bows in Foreſts, Parks and Chaſes, may retain the ſame, notwithſtanding this Act; ſo likewiſe may Smiths and Merchants, that make or ſell them, the ſeveral lengths aboveſaid being duly obſerved.

☞ VIII. It ſhall be lawfull for any perſon to convey the party offending againſt this Act before the next Juſtice of Peace, who upon due examination and proof ſhall have power to commit him to priſon, there to remain till he hath ſatisfied the penalty, which in this caſe ſhall be divided betwixt the King and the party that ſo takes the offender.

IX. Every

IX. Every Placart granted by the King, which expreſſeth not at what beaſts or fowl the Grantee ſhall ſhoot, and where the Grantee entreth not into a Recogniſance of 20 l. in the Chancery to ſhoot at no other, ſhall be adjudged void.

X. Juſtices of Peace in Seſſions and Stewards of Leets have power to hear and determine theſe offences.

XI. When the conviction is in Seſſions, the whole forfeiture is to be levied to the King's uſe; when in a Leet, the one half is the King's, and the other half ought to be divided betwixt the Lord and the proſecutor.

XII. Here, if a Jury ſhall willingly conceal any thing, the Juſtices, or Steward, have power to impannel another Jury, by whom if the firſt Jury be found guilty of concealment, they ſhall forfeit 20 s. a piece, *viz.* to the King, if it be in Seſſions, but if in a Leet, then the one half to the Lord, and the other half to the proſecutor.

XIII. Forfeitures ariſing by this Act ſhall be ſued for, *viz.* by the King within one year, and by a common perſon within ſix months, otherwiſe they ſhall be loſt.

XIV. A ſervant upon command may uſe his Maſter's Croſs-bow or Gun (not prohibited by this Act,) ſo as he ſhoot at no fowl, Deer, or other game; and may alſo, by a licenſe in writing, carry it to any place to be mended.

* ☞ XV. **Stat.** 2. 3 *E.* 6. 14. None under the degree of a Baron ſhall ſhoot in any Hand-gun within any City or Town, at any fowl whatſoever, or with any hail-ſhot, in pain of 10 l. and 3 months impriſonment.

XVI. This Act ſhall not reſtrain thoſe who according to the value of their land are authorized to ſhoot by 33 *H.* 8. 6. ſo that they forbear to uſe any hail-ſhot; and all other that preſume to ſhoot ſhall preſent their own names, *viz.* (in a Corporation) to the Mayor or Head-officer, and (in the County) to the next Juſtice of Peace, in pain of 20 s. and the ſaid Juſtice or Head-officer is to ſee them recorded at the next Seſſions in like pain of 20 s. which forfeitures are to be divided betwixt the King and the proſecutor.

Croſſes.

I. **Weſt.** 2. 33. 13 *E.* 1. Lands where Croſſes be ſet, with purpoſe that the tenants thereof ſhould defend themſelves againſt the chief Lord or Lords, by the Privileges of Templars and Hoſpitallers, ſhall be forfeited as lands aliened in Mortmain.

☞ Crown.

☞ Crown.

I. **Stat.** 14 *E.* 3. The Realm and people of *England* ſhall not be ſubject or obedient to the King or kingdom of *France.*

II. **Stat.** 7 *H.* 4. 2. The Crown of *England* and *France* were intailed to the King and his four ſons by name.

III. **Stat.** 35 *H.* 8. 1. The Crown of *England* is intailed to the King's daughter, the Lady *Mary*, the remainder to the Lady *Elizabeth*, the remainder to ſuch as the King by his Letters Patents or laſt will in writing ſhould limit.

* IV. **Stat.** 1 *El.* 1. No forein Potentate or perſon ſhall exerciſe any power within any of the Queen's Dominions, and all Eccleſiaſtical Juriſdiction is annexed to the Crown; ſo that the Queen and her ſucceſſors by Letters Patents may authorize any Subject born to exerciſe the ſame.

V. For the better obſervance of this Act, every Eccleſiaſticall perſon, and every officer, both Eccleſiaſtical and Temporal, and all the Queen's ſervants, are enjoyned to take the Oath following.

VI. I. *A. B. do utterly teſtifie and declare in my conſcience, that the Queen's Highneſs is the onely Supreme Governour of this Realm, and of all other her Highneſs Dominions and Countreys, as well in all Spiritual or Eccleſiaſtical things or cauſes, as Temporal; and that no forein Prince, perſon, Prelate, or Potentate, hath, or ought to have any juriſdiction, power, ſupremacie, preeminencie or authority Eccleſiaſtical or Spiritual within this Realm; and therefore do utterly renounce and forſake all forein juriſdiction, powers, ſuperiorities and authorities: and do promiſe, that from henceforth I ſhall bear faith and true allegiance to the Queen's Highneſs, her heirs and lawfull ſucceſſors, and to my power ſhall aſſiſt and defend all juriſdictions, priviledges, preeminencies and authorities, granted or belonging to the Queen's Highneſs, her heirs and ſucceſſors, or united and annexed to the Imperial Crown of this Realm. So help me God, and by the Contents of this Book.*

VII. He that refuſeth this oath ſhall forfeit his Spiritual or Temporal promotion or Office, during his life: And every perſon, before he be admitted to any ſuch promotion or Office, ſhall take the ſaid oath before ſuch perſons as ſhall have authority to miniſter the ſame: and in caſe he refuſe it, he ſhall be adjudged uncapable of ſuch promotion or office.

VIII. Every perſon ſuing Livery or *Ouſtre le main*, doing homage to the Queen, received into the Queen's ſervice, taking orders

or

or degrees in the Univerſitie, ſhall take the ſaid oath; the firſt three before the Lord Chancellor or Keeper of the Great Seal, the fourth before the Ordinary or Commiſſary, and the laſt before the Chancellor or Vice-chancellor, or their Deputies.

IX. Provided, if any having a Temporal Office of inheritance, ſhall at firſt refuſe to take the ſaid oath, and yet doth afterwards take it, he ſhall be reſtored to his office.

X. None ſhall affirm or maintain the power or juriſdiction of any forein Prelate or Potentate within the Queen's Dominions, in pain to forfeit all his goods and chattels; and if he be not worth 20 l. at the time of his conviction, he ſhall forfeit all he hath, and beſides ſuffer one whole year's impriſonment without bail: and here, for the ſecond offence, he ſhall incurre a *præmunire*; and for the third, ſhall be adjudged guilty of High Treaſon: but this offence muſt be proſecuted within one year after it is committed; and if the offence be by preaching, teaching, or words onely, the proſecution by indictment ſhall be within ſix months, otherwiſe the offender ſhall be ſet at liberty.

XI. If he be a Clergie-man beneficed, upon the firſt conviction all his ſpiritual promotion ſhall be void.

XII. A Peer of the Realm, guilty of ſuch an offence, ſhall be tried by his Peers.

XIII. No Act for any matter of Religion or cauſe Eccleſiaſtical made by this Parliament ſhall be adjudged any errour, hereſie, or Schiſm: neither ſhall any perſon, to whom the Queen, her heirs and ſucceſſors ſhall give authority to execute ſpiritual juriſdiction, have power to adjudge any matter to be Hereſie, ſave onely ſuch as have been ſo adjudged by Can. Scripture, or by one or more of the General Councils, or ſhall be ſo adjudged by the Parliament with the aſſent of the Clergie in their Convocation.

XIV. No perſon ſhall hereafter be indicted or arraigned for any of the offences made by this Act, but by two or more ſufficient witneſſes to be produced *viva voce* to teſtifie the ſame.

XV. No perſon ſhall be queſtioned for relieving, aiding, or comforting any ſuch offender, unleſs it be teſtified by two witneſſes (at leaſt) that at the time of ſuch relief, *&c.* he had notice of the offence committed.

XVI. **Stat.** 1 *El.* 3. The Parliament acknowledge the Queen to be right heir to the Crown, and promiſe to defend her and the heirs of her body in that eſtate.

XVII. The limitation of the Crown contained in 35 *H.* 8. 1. ſhall ſtand and remain Law for ever; and all clauſes of Statutes and other things heretofore paſſed againſt the ſame, ſhall be void.

* XVIII.

*XVIII. Stat. 5 *Eliz.* 1. None ſhall maintain the juriſdiction of the Biſhop or See of *Rome* within any of the Queen's Dominions, in pain to incurre a *Præmunire*, both they and their acceſſaries.

☞ XIX. Juſtices of Aſſize, and Juſt. of Peace, in Seſſions, or any two of them (1 *Qu.*) have power to hear and determine this offence, and are to certifie ſuch preſentments into the King's Bench within 40 days after they receive them, if it ſhall be then Term-time; if not, then the firſt day of the Term then next enſuing, in pain of 100 *l.* The Juſtices of the King's Bench alſo, as well upon ſuch certificate, as alſo before themſelves, have power to hear and determine the ſame offence.

XX. All perſons appointed to take the Oath of Supremacie by 1 *El.* 1. and all other Perſons taking orders, preferred to any degree in the Univerſities, School-maſters, publick and private, all perſons taking any degree of Learning in the Laws in the Innes of Court or Chancery, all Attorneys, Protonotaries, Philizers, Sheriffs, Eſcheators, Feodaries, all perſons admitted to any Miniſtry or Office belonging to the Common Law, or other Law or Laws, and all Officers and miniſters of every Court, ſhall take the ſaid Oath *verbatim*, before they be admitted to exerciſe their Office, miniſtry, or profeſſion; which Oath ſhall be adminiſtred in open Court unto the Officers and Miniſters of Courts, and unto ſuch as belong not to any Court, in ſome open place, in the preſence of a convenient aſſembly, and before other perſon authorized to give it by common uſe, commiſſion, or otherwiſe.

XXI. Archbiſhops and Biſhops have power to miniſter the ſaid Oath within their proper Dioceſs.

XXII. The Lord Chancellor or Keeper (without further warrant) may direct Commiſſions to tender it.

XXIII. None compellable to take this Oath by this Act, or that of 1 *Eliz.* ſhall refuſe to take it, in pain to incurre a *Præmunire*; ſo that they be indicted or preſented for ſuch default within a year.

XXIV. Every perſon having authority to tender this Oath, ſhall within 40 days after the refuſal thereof, if it be then Term-time, if not, then the firſt day of the next Term, certifie under his hand and ſeal the name, place and degree of the perſon ſo refuſing, unto the King's Bench, in pain of 100 *l.* And the Sheriff of the County ſhall impannel a Jury of the ſame County, to inquire upon ſuch refuſal, which Jury may, upon evidence, indict the party refuſing, as well as if the indictment were preferred in the proper county.

XXV. If any refuſe to take this Oath upon the ſecond tender, or being formerly convicted of maintaining the juriſdiction of the Biſhop or See of *Rome*, as aforeſaid, do commit the like offence the

ſecond

ſecond time; in both caſes, both they and their acceſſaries ſhall ſuffer as in caſe of High Treaſon. But here there ſhall be no corruption of bloud, diſheriting of any heir, forfeiture of Dower, or prejudice to the right of any, ſave onely of the offender, during his life; and then the party next in reverſion, or remainder, may enter without any *Ouſtre le main* to be ſued. Here alſo none ſhall be deemed an acceſſary for giving of alms in charity to the offender without fraud.

XXVI. This Oath ſhall be expounded in ſuch form as is ſet forth in an admonition annexed to the Queen's Injunctions, publiſhed in the firſt year of her reign, *viz.* to acknowledge in her Majeſty, her heirs and ſucceſſors, ſuch authority as was challenged and uſed by *H.* 8. and *E.* 6. and none other.

XXVII. This Act ſhall be publiſhed every Quarter-ſeſſions by the Clerk of the Peace, and at every Leet by the Steward there, and once every Term in the open hall of every Inns of Court and Chancery, at ſuch times and by ſuch perſons as ſhall be appointed by the Lord Chancellor or Keeper for the time being.

XXVIII. Every member of the Commons Houſe, before he ſhall have a voice there, ſhall take this Oath before the Lord Steward or his Deputy; and if he enter the Houſe before he take it, he ſhall incurre ſuch penalties as he who preſumes to ſit there without election, return, or authority.

XXIX. None of or above the degree of a Baron ſhall be compelled to take this Oath; and a Peer offending this Act ſhall be tried by his Peers.

XXX. Provided that none ſhall be compellable to take this Oath upon a ſecond tender, or be in danger (by refuſal thereof) to incurre the penalty of High Treaſon, ſave onely Clergie-men, Officers of Eccleſiaſtical Courts, or ſuch as ſhall not obſerve the rites of Divine ſervice, do deprave by words or writing the Rites and Ceremonies of the Church of *England*, or do uſe to ſay or hear private Maſs.

XXXI. It ſhall not be lawfull to ſlay one attainted in a *Præmunire*.

XXXII. Saving the due execution of every perſon attainted upon judgment lawfully given by reaſon of this Statute, or otherwiſe; & ſaving all ſuch pains of death, or other puniſhment, as heretofore might without danger of Law be done upon any perſon that ſhall ſend or bring into the Queen's Dominions, or within the ſame execute any proceſs againſt any perſon from the Biſhop or See of *Rome*.

XXXIII. None ſhall be hereafter indicted as an acceſſary for any of the ſaid offences, without ſuch ſufficient proof as may ſatisfie the Jury that are to indict him.

* XXXIV. Stat. 13 *El.* 2. If any ſhall obtain or put in ure any Buſl of abſolution or reconciliation from the Biſhop of *Rome*, or abſolve, or be abſolved thereby, they and their acceſſaries before the fact ſhall be adjudged guilty of High Treaſon.

XXXV. The comforters and maintainers of ſuch offenders ſhall incurre a *Præmunire*, and their concealers miſpriſion of Treaſon; unleſs within ſix weeks they diſcover them to ſome of the Privie Council, or to one of the Preſidents or Vice-Preſidents of the Councils eſtabliſhed in the North, or Marches of *Wales*.

XXXVI. Provided, no perſon ſhall be impeached of miſpriſion of treaſon for any offence made treaſon by this Act, other then ſuch as are hereby declared to be in caſe of miſpriſion of Treaſon.

XXXVII. If any ſhall bring into any of the Queen's Dominions any *Agnus Dei*, Croſſes, Pictures, Beads, or any ſuch vain or ſuperſtitious thing, or deliver or offer the ſame to any perſon to be uſed; both the perſon ſo doing, and the perſon ſo receiving the ſame, ſhall incurre a *Præmunire*: Howbeit, if the party unto whom tender thereof ſhall be made apprehend the party tendring the ſame, and carry him before the next Juſtice of Peace, or not being able ſo to do, within three days after diſcloſeth his name, and the place of his abode or reſort, unto the Ordinary, or ſome Juſtice of Peace within the ſame County, or having received the ſame, doth within one day after deliver it to ſome ſuch Juſtice of Peace, then ſhall he not incurre any Prejudice by reaſon of this Act.

XXXVIII. A Juſtice of Peace ſhall diſcloſe the offences aforeſaid to the Privy Council within fourteen days after he ſhall have notice thereof, in pain of incurring a *Præmunire*.

XXXIX. Here the trial of Peers ſhall be by their Peers.

XL. The right of others ſaved.

* XLI. Stat. 23 *El.* 1. It ſhall be high Treaſon to have or pretend to have power, or to put in practice, to abſolve, perſwade, or withdraw any within the Queen's Dominions from their natural obedience to her Majeſty, or to withdraw them for that intent from the Religion now eſtabliſhed to the Romiſh Religion; and they alſo who ſhall be willingly ſo withdrawn or reconciled, as aforeſaid, together with the procurers and Counſellors of ſuch offenders, ſhall be adjudged guilty of the ſame offence.

☞ XLII. Alſo their aiders and maintainers, who do not diſcover them within twenty days to ſome Juſtice of Peace or higher Officer, ſhall be adjudged guilty of miſpriſion of Treaſon.

XLIII. None ſhall ſay or ſing Maſſe, in pain to forfeit 200 marks, to ſuffer one year's impriſonment, and not to be enlarged thence, untill

untill the fine be paid: And none ſhall hear Maſſe, in pain of one year's impriſonment, and a hundred marks.

* XLIV. Every perſon not repairing to Church, according to the Statute of 1 *El.* 2. (*which ſee in Service and Sacraments*) ſhall forfeit 20 l. for every moneth they ſo make default; and if they ſo forbear by the ſpace of twelve months, after certificate thereof made by the Ordinary into the King's Bench, a Juſtice of Aſſize, Gaol-delivery, or Peace of the County where they dwell, ſhall binde them with two ſufficient ſureties in 200 l. (at leaſt) to the good behaviour, from which they ſhall not be releaſed untill they ſhall repair to Church, according to the ſaid Statute.

XLV. None ſhall keep a Schoolmaſter which abſents himſelf from Church, or is not allowed by the Biſhop or Ordinary, in pain of 10 l. for every moneth he ſo keeps him: and ſuch Schoolmaſter ſhall be for ever after diſabled to teach youth, and ſhall ſuffer one whole year's impriſonment without bail.

☞ XLVI. The offences againſt this Act, and the Acts of the firſt, fifth, and thirteenth years of the Queen's reign, touching the acknowledging of her ſupreme Government in cauſes Eccleſiaſticall, the ſervice of God, coming to Church, or eſtabliſhment of true Religion within this Realm, ſhall be inquirable before Juſtices of *Oyer* and *Terminer*, Aſſize, Gaol-delivery, and Peace in their Circuits and Seſſions within one year and a day after ſuch offence committed, except treaſon and miſpriſion of treaſon.

XLVII. Provided, that any of the offenders aforeſaid, which ſhall before judgment ſubmit and conform themſelves to the Biſhop of the Dioceſs, or in open Aſſize or Seſſions, ſhall be diſcharged of every the offences aforeſaid, (except treaſon and miſpriſion of treaſon) and of all pains and penalties incurred for the ſame.

XLVIII. Of the forfeitures abovesaid, two third parts the Queen ſhall have, one to her own uſe, the other for relief of the poor in the Pariſh where the offence is committed, to be delivered without further warrant then of the principal Officers of the Receipt of the Exchequer; and the other third part the proſecutor ſhall have; And here the offender that is not able to pay the forfeitures, or doth not pay them within three moneths after judgment, ſhall be committed to priſon, and there remain untill he hath ſatisfied them, or ſhall conform himſelf, and go to Church.

XLIX. They that have on Sundays the Divine Service eſtabliſhed uſually read in their houſes, and are commonly preſent themſelves thereat, and do not obſtinately refuſe to come to Church, but four times in the year (at leaſt) are preſent at Divine Service in their own Pariſh-Church, or ſome other open Chappel of eaſe, ſhall not

incurre the penalty aforeſaid for not coming to Church.

L. All covinous grants to defraud the intereſt which the Queen, or any other perſon, may claim by virtue of this Act, or of 13 *El.* 2. ſhall be adjudged void.

LI. If a Peer of the Realm happen to be indicted for any offence made treaſon or miſpriſion of treaſon by this Act, he ſhall be tried by his Peers.

LII. This Act ſhall not abridge the juriſdiction of Eccleſiaſtical cenſures.

* LIII. **Stat.** 27 *El.* 2. All Jeſuits and Seminary Prieſts, and other Eccleſiaſtical perſons, born within any of the Queen's Dominions, and ordained or made ſuch by the pretended juriſdiction of the See of *Rome*, which come into or remain in any of the ſaid Dominions, ſhall be adjudged guilty of high Treaſon; and their receivers, aiders and maintainers (knowing them to be ſuch, and at liberty) ſhall be adjudged felons, without benefit of Clergie.

LIV. All others brought up in Seminaries beyond Sea, and not as yet in Orders, as aforeſaid, which do not within ſix moneths after Proclamation made in *London* (in that behalf) return into this Realm, and within two days after ſuch return, before the Biſhop of the Dioceſs, or two Juſtices of Peace of the County where they ſhall arrive, ſubmit themſelves to the Queen and her Laws, and take the Oath of Supremacie, ſhall be alſo adjudged guilty of high Treaſon.

LV. They who give or ſend relief to any ſuch Eccleſiaſtical perſon or Seminary, or to any brought up there, as aforeſaid, ſhall incurre a *Præmunire*.

LVI. Theſe offences ſhall be heard and determined in the King's Bench, or in any County where they ſhall be committed, or the offender taken.

LVII. This Act ſhall not extend to any Jeſuit or other Eccleſiaſtical perſon aforeſaid, which within three days after his arrival ſhall ſubmit himſelf to ſome Arch-biſhop, Biſhop, or Juſtice of Peace of the County where he lands, and there take the Oath of Supremacie, and under his hand acknowledge to continue in due obedience to her Majeſtie's Laws.

LVIII. Here the trial of a Peer ſhall be by his Peers.

☞ LIX If any perſon knowing a Jeſuit or Prieſt to remain within any of the Queen's Dominions, do not within twelve days diſcover the ſame to ſome Juſtice of Peace, he or ſhe ſhall make fine, and ſuffer impriſonment during the Queen's pleaſure; and the Juſtice of Peace which doth not within 28 days after diſcloſe it to ſome of the Privy Council, or to the Preſident or Vice-Preſident of the

Councils

Councils in the North, or Marches of *Wales*, ſhall forfeit 200 marks; and ſuch of thoſe Councils unto whom ſuch information ſhall be made, ſhall deliver a writing under their hands unto the party informing, teſtifying that ſuch information was made unto them.

LX. All Oaths, Bonds and ſubmiſſions, as aforeſaid, ſhall within three moneths be certified into the Chancery by the parties before whom they are taken, in pain of 100 l.

LXI. None having ſubmitted, as aforeſaid, ſhall within ten years after come within ten miles of the Court, in pain to loſe the benefit of his ſubmiſſion.

LXII. *Stat.* 29 *El.* 6. All grants, incumbrances, or limitations of uſe made by any perſon not repairing to Church (according to the *Stat.* of 23 *El.* 1.) and which are revocable by the offender, intended for his maintenance, left at his diſpoſition, or in conſideration whereof he or his family are to be kept, ſhall be utterly void againſt the Queen, as to hinder the levying of the forfeitures for not coming to Church, or ſaying, hearing, or being at Maſſe, or the making of ſeizures for the ſame purpoſe.

☞ LXIII. Every conviction of any offence before mentioned ſhall be in the King's Bench, or at the Aſſize or Gaol-delivery, and not elſewhere, and ſhall by the Juſtices there be certified into the Exchequer before the end of the Term then next following.

LXIV. The Queen may ſeize all the goods, and two third parts of the lands and leaſes, of every offender not repairing to Church as aforeſaid, which after their firſt conviction do not pay in to the Exchequer, in ſuch of the Terms of *Eaſter* and *Michaelmas* as ſhall happen next after ſuch conviction, the ſumme then due for the forfeiture of 20 l. a moneth, and yearly after that (in the ſame Terms) according to the rate of 20 l. a moneth, for ſo long time as they ſhall forbear to come to Church, according to the ſaid *Stat.* of 23 *Eliz.* 1.

LXV. The indictment againſt ſuch an offender ſhall be ſufficient, although no mention be therein made that the party is within the Realm.

LXVI. When an indictment is found againſt ſuch an offender, Proclamation ſhall be made, that he ſhall render himſelf into the Sheriff's hands before the next Aſſize or Gaol-delivery; which if he do not, that neglect ſhall be as ſufficient a conviction, as if upon the ſame indictment a trial by verdict had proceeded.

LXVII. But here upon the offender's ſubmiſſion (according to the ſaid *Stat.* of 23 *El.*) or death, no forfeiture ſhall inſue, ſave onely the arrearages due at the time of ſuch ſubmiſſion or death.

LXVIII. The Lord Treaſurer, Chancellor, and chief Baron, or

any two of them, ſhall aſſign a third part of the forfeitures of 20 l. a month for the relief and maintenance of the poor, houſes of Correction, and maimed ſouldiers.

LXIX. This Act ſhall not extend to grants made *bona fide*, nor to continue any ſeizure after the death of the offender, in ſuch lands wherein he had onely an eſtate for life, or in the right of his wife.

* LXX. Stat. 35 *El.* 1. If any above ſixteen years of age ſhall be convicted to have abſented themſelves above a moneth from Church, without any lawfull cauſe, impugned the Queen's authority in cauſes Eccleſiaſtical, or frequented Conventicles, or perſuaded others ſo to do, under pretence of exerciſe of Religion, they ſhall be committed to priſon, and there remain untill they ſhall conform themſelves, and make ſuch open ſubmiſſion as hereafter ſhall be preſcribed: And if within three moneths after ſuch conviction they refuſe to conform and ſubmit themſelves being thereunto required by a Juſtice of Peace, they ſhall in open Aſſize or Seſſions abjure the Realm; ☞ and if ſuch abjuration happen to be before Juſtices of Peace in Seſſions, they ſhall make certificate thereof at the next Aſſize or Gaol-delivery.

LXXI. If ſuch an offender refuſe to abjure, or going away accordingly, doth return without the Queen's licenſe, he ſhall be adjudged a felon, and ſhall not enjoy the benefit of Clergie; but if before he be required to abjure he makes his ſubmiſſion, the penalties aforeſaid ſhall not be inflicted upon him.

LXXII. The form of the Submiſſion is as followeth.

I A. B. *do humbly confeſs and acknowledge, that I have grievouſly offended God, in contemning her Majeſtie's godly and lawfull government and authority, by abſenting my ſelf from Church, and from hearing Divine Service, contrary to the godly Statutes and Laws of this Realm, and in uſing and frequenting diſordered and unlawfull Conventicles and Aſſemblies, under pretence of Exerciſe of Religion; and I am heartily ſorry for the ſame, and do acknowledge and teſtifie in my conſcience, that no other perſon hath or ought to have any power or authority over her Majeſty; And I do promiſe and proteſt, without any diſſimulation, that from henceforth I will from time to time obey and perform her Majeſtie's Laws and Statutes, in repairing to the Church and hearing Divine Service, and do my utmoſt endeavour to maintain and defend the ſame.*

LXXIII. The Miniſter of the Pariſh where the ſubmiſſion is made ſhall preſently enter the ſame in a Book, and within ten days after certifie it to the Biſhop of the Dioceſs.

LXXIV.

LXXIV. The offender that after ſuch ſubmiſſion falleth into a relapſe, ſhall take no benefit thereby.

LXXV. The forfeitures of this Act and of 23 *Eliz.* 1. may be recovered by action of debt.

LXXVI. The third part of the penalties which accrue by this Act ſhall be diſpoſed as thoſe of 29 *El.* 6.

LXXVII. A *feme covert* ſhall not be compelled to abjure, but any other offender that abjures, or (being required) refuſeth ſo to do, ſhall forfeit all his goods and his land during life: Howbeit here ſhall be no corruption of bloud, loſs of Dower, or diſheriſon of heir.

* LXXVIII. Stat. 35 *El.* 2. Popiſh Recuſants, above 16 years of age, ſhall within 40 days after their conviction repair to their uſual dwelling, and not remove above 5 miles from thence, in pain to forfeit all their goods, and their lands and annuities, during life: ☞ And if they have no certain abode, then are they to repair to the place where they were born, or where their father or mother dwells; and within 20 days after their arrival there, to give their names in writing to the Miniſter, Conſtables and Headboroughs, which Miniſter is to enter them in a Book to be kept for that purpoſe, and he, together with the ſaid Conſtables and Headboroughs, is to certifie the ſame to the next Quarter-Seſſion, where the Juſtices of Peace ſhall cauſe them to be inrolled.

LXXIX. A Copiholder ſhall in this caſe alſo forfeit his eſtate, during life, (if his eſtate continue ſo long) to the Lord of the Mannor, if he be no Recuſant convict, nor ſeized or poſſeſſed in truſt to the uſe of a Recuſant; for then the Queen ſhall have the forfeiture.

LXXX. A Popiſh Recuſant (being no *feme covert*, not having lands worth 20 marks *per annum*, or goods worth 40 l.) which within the time above limited doth not repair to the place of his abode, or doth depart above five miles thence, or within three moneths after his arrival there doth not make the ſubmiſſion hereafter following, (being required ſo to do by the Biſhop, a Juſtice of Peace, or the Miniſter there) ſhall before two Juſtices of Peace, or the Coroner, abjure the Kingdom; which abjuration ſhall be by the ſaid Juſtices or Coroner certified in at the next Aſſize or Gaol-delivery.

LXXXI. If ſuch Popiſh Recuſant depart not the Realm within the time limited by the ſaid Juſtices, or Coroner, or return without the Queen's licenſe, he ſhall be adjudged a felon without Clergie.

LXXXII. A Jeſuit or Prieſt refuſing to anſwer ſhall be committed to priſon, and there remain till he will anſwer the queſtions whereupon he was before examined.

LXXXIII. This Act ſhall not reſtrain a Recuſant (urged by proceſs or ſummons without fraud) to travel without the aboveſaid limits, ſo he return again in a convenient time, neither him that is compelled to render his body to the Sheriff.

LXXXIV. If ſuch an offender before conviction, upon a Sunday or ſome Feſtival day, repair to Church, and there hear Divine Service, and before the Goſpel make the Confeſſion following, he ſhall be diſcharged of the penalties inflicted by this Act.

The Confeſſion is this.

LXXXV. *I A. B. do humbly confeſs and acknowledge, that I have grievouſly offended God, in contemning her Majeſtie's godly and lawful government and authority, by abſenting my ſelf from Church, and from hearing Divine Service, contrary to the godly Laws and Statutes of this Realm, and I am heartily ſorry for the ſame; and do acknowledge and teſtifie in my conſcience, that the Biſhop and See of* Rome *hath not, nor ought to have, any power or authority over her Majeſty, within any of her Majeſtie's Realms or Dominions: And I do promiſe, and proceed without diſſimulation, that from henceforth I will from time to time obey and perform her Majeſtie's Laws and Statutes, in repairing to the Church, and hearing Divine Service, and do my uttermoſt endeavour to maintain and defend the ſame.*

LXXXVI. The Miniſter of the Pariſh where ſuch ſubmiſſion is made ſhall preſently enter the ſame in a Book, and within ten days after certifie it to the Biſhop of the Dioceſs.

LXXXVII. The offender that after ſuch ſubmiſſion falleth into a relapſe ſhall take no benefit thereby.

LXXXVIII. Every married woman ſhall be bound by this Act, ſave onely by the clauſe of abjuration.

LXXXIX. Stat. 1 *Ja.* 1. A Recognition, that upon Queen *Elizabeth's* death, the Crown of *England*, and all the Kingdomes, Dominions and rights belonging to the ſame, did by lawfull birthright and ſucceſſion deſcend to King *James*.

XC. Stat. 1 *Ja.* 1. All the aforeſaid Statutes made in the time of Queen *Elizabeth* ſhall be duely put in execution againſt all ſuch as do not conform themſelves, as aforeſaid.

XCI. Where the Anceſtor dies a Recuſant, the heir being none, or conforming himſelf, and taking the Oath of Supremacie before the Arch-biſhop or Biſhop of the Dioceſs, the land ſhall be freed from all penalties.

XCII. If an heir (within age) after he ſhall have accompliſhed the

the age of 16 years doth ſtill continue a Recuſant, his lands ſhall not be freed, until he do conform and take the Oath of Supremacy, as aforeſaid.

XCIII. A third part of every Recuſant's lands ſhall remain clear unto him from ſeizure or extent, and the other two parts ſhall remain in the King's hands, (both before and after the Recuſant's death) until the King ſhall be fully ſatisfied all the arrearages for the 20 l. a moneth, according to 23 *El.* 1.

* XCIV. None ſhall ſend any child or other perſon under their government beyond the Seas to be inſtructed in the Popiſh Religion, in pain of 100 l. and they which are ſo ſent ſhall be incapable (as to themſelves onely) of any grant or inheritance due unto them or to others for their uſe.

* XCV. If a woman or child under the age of 21 years be ſuffered to paſs the Seas without the licenſe of the King, or of ſix of the Privy Council under their hands, (except Sailors, Ship-boys, or Merchants Factors or Apprentices) the Officers of the Ports ſhall forfeit their Offices and all their goods, the owner of the Ship his Ship and Tackle, and every Maſter or Mariner of or in the Ship all their goods, and alſo ſuffer a year's impriſonment without bail.

* XCVI. None out of the Univerſities ſhall keep School, (except a Free-School, or in ſome perſon's houſe that is no Recuſant, or by licenſe of the Biſhop or Ordinary) in pain to forfeit 40 s. a day.

XCVII. The forfeitures of this Act ſhall be divided betwixt the King and the proſecutor.

* XCVIII. *Stat.* 3 *Jac.* 4. A Recuſant that conforms ſhall within one year after, and ſo once every year (at leaſt,) receive the bleſſed Sacrament, in pain to forfeit for the firſt year 20 l. for the ſecond 40 l. and for every default after 60 l. And if after he hath received it, he make default therein by the ſpace of a whole year, he ſhall forfeit 60 l.

XCIX. Theſe forfeitures may be recovered before Juſtices of Peace in Seſſions, or in any other Court of Record, and are to be divided betwixt the King and the proſecutor.

C. The Church-wardens and Conſtables of every Pariſh, or one of them, or (if there be none ſuch, then) the High Conſtable of the Hundred there, ſhall preſent once every year at the general Seſſions of Peace the monethly abſence from Church of every Popiſh Recuſant, and their children being above the age of nine years, and their ſervants, together with the age of their children, as near as they can know them, in pain to forfeit reſpectively for every ſuch de-

default 20 s. Which preſentment the Clerk of the Peace or Town-Clerk ſhall record without fee, in pain of 40 s.

CI. If upon ſuch preſentment (being the firſt) the Recuſant be convicted, the Officer that preſents him ſhall have 40 s. to be levied by warrant upon the Recuſant's goods and eſtate, as the more part of the Juſtices of Peace ſhall think fit.

CII. Juſtices of Aſſize, Gaol-delivery and Peace have power to hear and determine of all Recuſants and offences, as well for not receiving the Sacrament, according to this Act, as alſo for not coming to Church, according to former Laws; and likewiſe to make Proclamation, that they ſhall tender themſelves to the Sheriff or Bailiff of the Liberty where they are, before the next Aſſize, Gaol-delivery or Seſſions, reſpectively, which if they do not, that default being recorded, ſhall be taken for as ſufficient a conviction of them as a trial by verdict.

CIII. Every offender not repairing to Church, as aforeſaid, after their firſt conviction ſhall pay into the Checquer, in ſuch of the Terms of *Eaſter* and *Michaelmas*, as ſhall happen next after ſuch conviction, the ſumm then due for the forfeiture of 20 l. a moneth, and yearly after that (in the ſame Terms) according to the rate of 20 l. a moneth, except where the King ſhall be pleaſed to take two third parts of their lands and leaſes in lieu thereof, or that they conform themſelves and come to Church.

CIV. Every conviction ſhall before the end of the Term next following be certified into the Exchequer, in ſuch convenient certainty, that the Court may thereupon award proceſs for the ſeizure of all the offender's goods, and two parts of his lands and leaſes, in caſe the 20 l. a moneth be not paid, as aforeſaid.

CV. The King may refuſe 20 l. a moneth, and take two third parts of his lands and leaſes; but here he ſhall not include the Recuſant's Manſion-houſe, nor demiſe his two parts to a Recuſant, or to any other for a Recuſant's uſe: And the King's Leſſee for his two parts ſhall give ſuch ſecurity againſt committing of waſte, as by the Court of Exchequer ſhall be thought ſufficient.

CVI. It ſhall be lawful for the Biſhop of the Dioceſs, or two Juſtices of the Peace (1. *Qu.*) out of Seſſ. to tender the Oath hereafter following to any perſon eighteen years old or above, (except noble men and noble women) which ſtand convicted or indicted of Recuſancy, hath not received the Sacrament twice in the year next before, or paſſing through the Country, and examined upon oath, confeſſeth or (at leaſt) denieth not that he or ſhe is a Recuſant, or that he or ſhe hath not received the Sacrament twice in the year next before; which Biſhop or Juſtices ſhall certifie the name and dwel-

dwelling of the perſon ſo taking the ſame oath at the next Seſſ. where the Clerk of the Peace or Town-Clerk ſhall record them.

CVII. If the parties refuſe to anſwer upon oath, or to take the oath aforeſaid tendred unto them, the Biſhop or Juſtice aforeſaid ſhall binde them over to the next Aſſ. or Seſſ. where if they again refuſe it, they ſhall incur a *Præmunire*, except women covert, who in that caſe ſhall onely ſuffer impriſonment till they take it.

The Tenor of the Oath is as followeth.

CVIII. *I A. B. do truly and ſincerely acknowledge, profeſs, teſtifie and declare in my conſcience, before God and the world, that our Sovereign Lord King* James *is lawful and rightful King of this Realm, and of all other his Majeſty's Dominions and Countries; and that the Pope, neither of himſelf, nor by any authority of the Church or See of* Rome, *or by any other means, with any other, hath any power or authority to depoſe the King, or to diſpoſe of any of his Majeſty's Kingdoms or Dominions, or to authorize any forein Prince to invade or annoy him or his Countries, or to diſcharge any of his Subjects of their allegiance or obedience to his Majeſty, or to give licence or leave to any of them to bear arms, raiſe tumults, or to offer any violence or hurt to his Majeſty's Royal perſon, ſtate or government, or to any of his Majeſty's Subjects within his Majeſty's Dominions.*

Alſo I do ſwear from my heart, that notwithſtanding any Declaration or Sentence of Excommunication or Deprivation made or granted, or to be made or granted, by the Pope or his ſucceſſours, or by any authority derived or pretended to be derived from him or his See, againſt the ſaid King, his heirs or ſucceſſors, or any abſolution of the ſaid Subjects from their obedience, I will bear faith and true allegiance to his Majeſty, and him and them will defend to the uttermoſt of my power, againſt all conſpiracies and attempts whatſoever, which ſhall be made againſt his or their perſons, their Crown and dignity, by reaſon or colour of any ſuch Sentence or Declaration, or otherwiſe; and will do my beſt endeavour to diſcloſe and make known unto his Majeſty, his heirs and ſucceſſours, all treaſons and traitorous conſpiracies which I ſhall know or hear of, to be againſt him or any of them.

And I do further ſwear, that I do from my heart abhor, deteſt and abjure, as impious and heretical, this damnable Doctrine and Poſition, That Princes which be excommunicated or deprived by the Pope may be depoſed or murthered by their Subjects, or any other whatſoever.

And I do believe, and in my conſcience am reſolved, That neither the Pope, nor any perſon whatſoever, hath power to abſolve me of this Oath, or any part thereof, which I acknowledg by good and full authority to

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be lawfully miniſtred unto me, and do renounce all pardons and diſpenſations to the contrary.

And all theſe things I do plainly and ſincerely acknowledge and ſwear, according to the expreſs words by me ſpoken, and according to the plain and common ſenſe and underſtanding of the ſame words, without any equivocation, or mental evaſion, or ſecret reſervation whatſoever. And I do make this recognition and acknowledgment heartily, willingly and truly, upon the true faith of a Chriſtian: So God me help.

CIX. Unto this Oath, the party taking it ſhall ſubſcribe his name or mark.

CX. No Indictment againſt a Recuſant ſhall be reverſed for lack of form, other then by direct traverſe to the point of not coming to Church, or not receiving the Sacrament, as aforeſaid.

CXI. The party conforming himſelf ſhall from thenceforth be admitted to diſcharge or reverſe an Indictment.

CXII. None ſhall go out of this Realm to ſerve any forein Prince or State without firſt taking the Oath aforeſaid, in pain to be adjudged a felon. And if he have born office amongſt Souldiers before his departure out of the Realm, he ſhall enter into Bond unto the King's uſe, with the Condition following, upon like pain of being adjudged a felon.

The Condition is this.

CXIII. *That if the within bounden,* &c. *ſhall not any time then after be reconciled to the Pope or See of* Rome, *nor ſhall enter into nor conſent unto any practice, plot or conſpiracy whatſoever againſt the King's Majeſty, his heirs and ſucceſſors, or any his or their eſtate or eſtates, Realms or Dominions, but ſhall within convenient time after knowledge thereof had reveal and diſcloſe to the King's Majeſty, his heirs and ſucceſſors, or ſome of the Lords of his or their honorable privy Council, all ſuch practices, plots and conſpiracies; That then the ſaid Obligation to be void.*

CXIV. None but the Cuſtomer and Controller of a Port, or their deputies, ſhall have power to take ſuch bond, or to miniſter the Oath in ſuch caſe; for which bond they ſhall onely take 6 d. and nothing for the Oath; and ſhall once every year certifie into the Exchequer every ſuch bond, in pain of 5 l. and every ſuch oath, in pain of 20 s.

CXV. To abſolve or withdraw any of the King's Subjects from their natural obedience to his Majeſty, to reconcile them to the Pope or See of *Rome*, or to move them to promiſe obedience to any pre-

pretended authority of the See of *Rome*, or to any other Prince or State, or to be abſolved, withdrawn, reconciled, or to make promiſe, as aforeſaid, ſhall be adjudged High Treaſon.

CXVI. This laſt clauſe ſhall not extend to any reconciled, as aforeſaid (for and touching the point of ſo being reconciled onely) that ſhall return into this Realm, and within ſix days after, before the Biſhop of the Dioceſs, or two Juſtices of Peace (jointly or ſeverally) of the County where he ſhall arrive, ſubmit himſelf to the King and his Laws, and take the Oath of Supremacy, and alſo the Oath aboveſaid; which ſaid Oaths the ſaid Biſhop and Juſtices reſpectively ſhall by this Act have power to miniſter to ſuch perſons, and ſhall certifie them in at the next General Seſſions, in pain of 40 l.

CXVII. Here, the trial of Treaſon ſhall be before Juſtices of Aſſize and Gaol-delivery of that County for the time being, and may alſo be before the Juſtices of the King's Bench: but Peers in this caſe ſhall be tried by their Peers.

CXVIII. If any perſon repaireth not every Sunday to ſome Church or Chappel, proof thereof being made to a Juſtice of Peace by the partie's own confeſſion, or the evidence of one witneſs, the ſame Juſtice hath power to call the party before him; and if the party give not the Juſtice a good reaſon of his abſence, the Juſtice may give warrant to the Church-wardens of the Pariſh under his hand and ſeal, to levy 12 d. for every ſuch default, by diſtreſs and ſale of goods; and in default of diſtreſs, the Juſtice may commit the offender to priſon, until he pay the forfeiture aforeſaid, which ſhall be imployed for the uſe of the poor: but this offence muſt be proſecuted within one moneth after it is committed; and none puniſhed by this Law, ſhall alſo be puniſhed by the forfeiture of 12 d. upon the *Stat.* of 1 *Eliz.* 2. *Which ſee in* Sacrament.

CXIX. None ſhall keep or retain any perſon in their houſe (ſervant or other) which ſhall forbear to come to Church by the ſpace of a moneth together, in pain to forfeit 10 l. for every moneth they ſo keep them: Howbeit, children may relieve their father or mother, and Guardians their Wards or Pupils.

CXX. The Sheriff, upon a lawful Writ, may juſtifie to break an houſe for the taking of a Recuſant excommunicate.

CXXI. The Juſtices of the King's Bench, and Juſtices of Aſſize and Gaol-delivery, may hear and determine all the offences committed againſt this Act; and ſo may Juſtices of Peace, all ſave Treaſon.

CXXII. The offences made felony by this Act ſhall not cauſe

loſs

loſs of Dower, corruption of bloud, or diſheriſon of heirs.

CXXIII. Here, if an Action ſhall be brought againſt an Officer for the execution of this Act, he may plead the general iſſue, and yet give ſpecial matter in evidence.

CXXIV. This Act ſhall not abbridge the juriſdiction of Eccleſiaſtical cenſures.

CXXV. None ſhall be puniſhed for his wife's offence, neither ſhall any married woman be chargeable with any penalty or forfeiture by force of this Act.

CXXVI. Six of the Privy Council (whereof the Lord Chancellor, Lord Treaſurer, or Principal Secretary ſhall be one) have power to miniſter the Oaths aboveſaid to noble men (being 18 years old,) and to noble women alſo of the like age and unmarried, who ſhall take the ſame Oaths accordingly, in pain to incurr a *Præmunire*. *Vide infrà.*

CXXVII. The Warden of the Cinque-ports, or ſome authorized by him, ſhall take the bond, and miniſter the Oath aforeſaid, where any perſon paſſeth beyond Sea out of them or any of their members.

CXXVIII. **Stat.** 3 *Jac.* 5. The perſon that within three days notice ſhall diſcover to a Juſtice of Peace any that entertains a Popiſh Prieſt, or any which have heard or ſaid Maſs, ſhall have a third part of the forfeiture due for the ſame offences, if the whole exceed not 150 l. and then onely 50 l. thereof to be delivered unto him by the Sheriff or other Officer which ſhall have power to levy the ſame.

CXXIX. No convicted Recuſant ſhall come into the Court without command from the King, or warrant from the Privy Council under their hands, in pain of 100 l. to be divided betwixt the King and the diſcoverer.

CXXX. A Popiſh Recuſant convicted or indicted, or any perſon not coming to Church by the ſpace of three moneths together, which remains in *London*, or within 10 miles diſtance thereof, ſhall within ten daies after ſuch conviction or indictment depart from thence, and alſo ſhall deliver their names (in *London*) to the Lord Mayor there, and (in the County) to the next Juſtice of Peace, in pain of 100 l. to be divided betwixt the King and the proſecutor: Howbeit this clauſe ſhall not extend to Trades-men, or ſuch as have no other habitation then in *London*, or within 10 miles diſtance, as aforeſaid.

CXXXI. It ſhall be lawful for a Recuſant to go about his neceſſary occaſions, as far as a licence (obtained from the King, or from three of the Privy Council, under their hands, or four of the

next

next Juſtices of Peace, under their hands and ſeals, with the aſſent in writing of the Biſhop, Lievtenant or Deputy-Lievtenant of the ſame County) ſhall give him leave, notwithſtanding the *Stat.* of 35 *El.* 2. which licence ſhall not be granted by the ſaid Juſtices, till the party hath made oath of the true reaſon of his journey, and that he will make no cauſleſs ſtays.

CXXXII. No convicted Recuſant ſhall practiſe the Common Law, Civil Law, Phyſick, or Art of Apothecary, or be an officer of or in any Court, or bear any office amongſt Souldiers, or in a Ship, Caſtle or Fortreſs, in pain of 100 l. to be divided betwixt the King and the proſecutor.

CXXXIII. No Popiſh Recuſant convict, or whoſe wife is a Popiſh Recuſant convict, ſhall exerciſe any publick office in the Commonwealth by himſelf or his Deputy, unleſs he bring up his children in the true Religion, and together with his children and ſervants repair to the Church, and receive the Sacraments at ſuch times as by the Law are limited.

CXXXIV. A married woman being a Popiſh Recuſant convict (her husband being none) that doth not conform her ſelf, as aforeſaid, by the ſpace of one whole year before her husband's death, ſhall forfeit two third parts of her Dower or Joynture, and ſhall be incapable of being Executrix or Adminiſtratrix to her husband, and of enjoying any part of her husband's goods.

CXXXV. A Popiſh Recuſant, after conviction, ſhall be reputed to all intents as a perſon excommunicate, until he ſhall conform, go to Church, receive the Sacraments, and take the Oath of Obedience ordained by 3 *Jac.* 4. Howbeit, he may ſue for his intereſt in lands not ſeized into the King's hands.

CXXXVI. A Popiſh Recuſant convict, which is married otherwiſe then in open Church, and by a lawful Miniſter, according to the Orders of the Church of *England*, ſhall not be tenant by the Courteſie; and a woman alſo (in this caſe) ſhall be diſabled to enjoy her Dower, Joynture, Widow's eſtate, or any of her husband's goods: And where a man cannot be tenant by the Courteſie, he ſhall forfeit 100 l. to be divided betwixt the King and the proſecutor.

CXXXVII. Every Popiſh Recuſant ſhall within one moneth after the birth of his child cauſe it to be baptized by a lawful Miniſter, in pain to forfeit 100 l. if he out-live the moneth; if not, then his wife is to pay the ſame forfeiture; which ſhall be divided into three parts, whereof the King ſhall have one, the proſecutor another, and the poor of the Pariſh the third.

CXXXVIII. Every Popiſh Recuſant ſhall be buried in the Church

Church or Church-yard, and according to the Eccleſiaſtical laws of this Realm, in pain that his Executor, Adminiſtrator, or the party that cauſed him to be otherwiſe buried, ſhall forfeit 20 l. to be divided into three parts, and diſperſed as aforeſaid.

CXXXIX. A child (being no Souldier, Mariner, Merchant or Apprentice, or Factor to a Merchant) ſhall not be ſent or go beyond Sea without licenſe of the King, or ſix of the Privy Council, (whereof the principal Secretary ſhall be one) in pain to be thereby incapable to enjoy any lands or goods by deſcent or grant, untill (being eighteen years of age, or above) he take the ſaid Oath of Obedience before ſome Juſtice of Peace of the County where his parents do or did dwell. And in the mean time, the next of his kin (being no Popiſh Recuſant) ſhall enjoy the lands and goods; but ſhall be accountable to the other, in caſe he after conform himſelf, as aforeſaid. And he that ſo goes out of the Kingdom without licenſe ſhall forfeit 100 l. to be divided and imployed as aforeſaid.

CXL. A Popiſh Recuſant convict ſhall be diſabled to preſent to a Benefice; but in ſtead of him, the Chancellor and Scholars of the Univerſities of *Oxford* and *Cambridge* ſhall preſent within ſeveral Counties reſpectively. *For which ſee the Statute at large.* Howbeit, they ſhall not conferr it upon a man already beneficed.

CXLI. A Popiſh Recuſant convict ſhall not be an Executor, Adminiſtrator, or Guardian; but the next of kin (being no Recuſant, and unto whom the land cannot lawfully deſcend) ſhall have the wardſhip and tuition of an Heir or orphan in that caſe.

CXLII. A grant of the King's ward to a Popiſh Recuſant convict ſhall be void.

CXLIII. None ſhall bring from beyond Sea, print, ſell or buy any Popiſh Primers, Ladie's Pſalters, Manuals, Roſaries, Popiſh Catechiſms, Miſſals, Breviaries, Portals, Legends or Lives of Saints, in what Language ſoever they ſhall be printed or written, nor any other ſuperſtitious Books, printed or written in the *Engliſh* tongue, in pain to forfeit 40 s. for every ſuch Book, to be divided into three parts, and imployed as aforeſaid.

CXLIV. Two Juſtices of Peace, and all Mayors, Bailiffs, and Head-officers, have power to ſearch the houſes and lodgings of Popiſh Recuſants convict, and of every perſon whoſe wife is a Popiſh Recuſant convict, for Popiſh books and reliques, and to burn and deface ſuch as they ſhall find in their cuſtody; but ſuch as are of value ſhall be defaced in open Seſſ. and afterward reſtored to the owner.

CXLV. All the Armour, Gunpowder and Munition of a Popiſh

piſh Recuſant convict, ſhall be taken from him by warrant from four Juſtices of Peace at the General Seſſ. (other then ſuch weapons as ſhall be allowed unto him by the ſame Juſtices) which ſaid Armour and Munition ſhall be kept at the coſts of ſuch Recuſant in ſuch places where the ſaid Juſtices ſhall appoint, and ſhewed at every Muſter, as his arms together with his horſe, which he ſhall buy, provide and maintain for that purpoſe, according to his ability as other Subjects doe. And here, the Recuſant that refuſeth to declare what Armour and Munition he hath, or to deliver it to ſuch perſons as ſhall have power to ſeize it, ſhall forfeit the ſame to the King, and beſides, ſhall upon warrant from any Juſtice of Peace of that County, be impriſoned by the ſpace of three moneths without bail.

CXLVI. This Act ſhall not abridge Eccleſiaſtical cenſures.

CXLVII. *Stat.* 7 *Jac.* 1. No perſon of the age of eighteen years or above, ſhall be naturalized or reſtored to bloud; unleſs he have received the Lord's Supper within a moneth before his bill was exhibited, and alſo do take (before the bill be twice read) the oaths of Supremacy and Allegiance to be miniſtred unto him (in the houſe of Lords) by the Lord Chancellor or Keeper, and (in the Common houſe) by the Speaker.

* CXLVIII. *Stat.* 7 *Jac.* 6. Who ſhall take the Oath of Obedience (or Allegiance) by whom it ſhall be miniſtred, and within what time.

CXLIX. It ſhall be lawful for any of the Privy Council, or any Biſhop within his Dioceſs, to require a Baron or Baroneſs of eighteen years of age, or above, to take the ſaid Oath; and likewiſe for any two Juſtices of Peace, (1. *Qu.*) to require any perſon of the age aforeſaid, or above, and under the degrees aforeſaid, to take the ſame Oath.

CL. If any Baron or Baroneſs, ſtand preſented, indicted or convicted for Recuſancy, three of the Privy Council (whereof the Lord Chancellor, Treaſurer, Privy Seal, or the principal Secretary ſhall be one) ſhall miniſter unto them the ſaid Oath: But if it be any other convicted perſon under thoſe degrees, or if the Miniſter, pery Conſtables, or Church-wardens of any Pariſh, or any two of them ſhall complain to any Juſtice of Peace, of any perſon ſuſpected for Recuſancy: then any ſuch Juſtice may (in either of the ſaid caſes miniſter the ſaid Oath, and upon refuſal ſhall commit the party to priſon, there to remain until the next Aſſ. or Seſſ. where if he or ſhe again refuſe to take it, they ſhall incur a *Præmunire*, except women *covert*, who ſhall onely be impriſoned, and there remain without bail, untill they ſhall take the ſaid Oath:

CLI. None refuſing the ſaid Oath, ſhall be capable of any Office of Judicature or of other Office (being no Office of inheritance or Miniſterial function) or to practiſe the Common Law, Phyſick, Chirurgery, the Art of Apothecary, or any liberal Science for gain.

CLII. If a married woman, being a convicted Recuſant, do not conform within three moneths after conviction, ſhe ſhall be committed to priſon by a privy Councellor, or the Biſhop of the Dioceſs, if ſhe be a Baroneſs; But if any other of a lower degree, then ſhall ſhe be committed by two Juſtices of Peace (1. *Qu.*) and there ſhall remain until ſhe conform, as aforeſaid; unleſs the husband for the wife's offence will pay unto the King 10 l. for every moneth, or yield the third part of all his lands, at the choice of the ſaid husband.

CLIII. None ſhall go himſelf, or ſend any perſon whatſoever beyond ſea, to be trained up in Popery, or any maintenance or relief to the party ſo ſent, or to any School or Religious houſe there, in pain (after conviction thereof) to be adjudged unable to proſecute any ſuit in any Court of Equity, to be Cummittee of any Ward, Executor or Adminiſtrator, to be uncapable of any Legacy or deed of Gift, or of bearing Office within this Realm: And beſides to forfeit all his goods and chattels, and his land alſo during life: But if he conform within ſix weeks after his return, according to the Statutes in that caſe provided, he ſhall not incur the penalties aboveſaid.

CLIV. Theſe offences ſhall be heard and determined by the Juſtices of the King's Bench, Aſſize, Gaol-delivery, and *Oyer* and *Terminer* of ſuch Counties, where the offenders did laſt dwell, or whence they departed, or where they ſhall be taken.

CLV. For Uniformity of Common-Prayer: *See Title* Religion.

* CLVI. Stat. 3 *Car.* 2. The Statute of 1 *Jac.* 4. ſhall be duely put in execution: and none of the King's Subjects ſhall paſs or go, or ſhall convey or ſend, or cauſe to be coveyed or ſent, any child or other perſon, out of any of the King's Dominions, into any parts beyond the Seas, out of the King's Obedience, to the intent to be reſident or trained up in any popiſh-ſociety, School or family, or to be there inſtructed in the Popiſh Religion, in any ſort to profeſs the ſame: Neither ſhall any convey or cauſe to be conveyed, any money or other thing, towards the maintenance of any ſuch child or perſon already gon or ſent, or to go, or to be ſent, and trained and inſtructed, as aforeſaid; or (under the name of charity) towards the relief of any ſuch Society or Religious Houſe; upon pain (after

(after conviction in any of the aforeſaid caſes) to be diſabled to ſue, or uſe any action, bill, plaint or information in courſe of Law, or to proſecute any ſuit in equity or to be Committee of any Ward, or Executor or Adminiſtrator to any perſon, or capable of any legacy, or deed of Gift, or to bear Office within the Realm, and to forfeit all his goods and chattels, and alſo his lands, rents, annuities, and Offices, during his life.

CLVII. Howbeit, no perſon ſo ſent or conveyed, as aforeſaid, who ſhall within ſix weeks after his return, conform himſelf to the preſent Religion here eſtabliſhed, and receive the Sacrament of the Lord's Supper, ſhall incurr any of the penalties aforeſaid.

CLVIII. Juſtices of the *King's Bench*, *Aſſize*, *Gaol-delivery*, and *Oyer* and *Terminer* have power to hear and determine theſe offences in ſuch Counties where ſuch offenders did laſt dwell, or whence they departed, or where they are taken.

CLIX. **Stat.** 16. 17 *Car.* 11. The branch of the Statute of 1 *Eliz.* 1. which gave power by commiſſion under the Great Seal to exerciſe Eccleſiaſtical Juriſdiction (*and whereupon the pretended authority of the High Commiſſion-Court was founded*) is repealed.

CLX. No Eccleſiaſtical Judge, Officer or Miniſter of Juſtice, ſhall award, impoſe, or inflict any pain, penalty, fine, amerciament, impriſonment, or other corporal puniſhment upon any of the King's Subjects for any contempt, offence, matter, or thing whatſoever, nor give any oath to any Church-warden, Side-man, or other perſon to preſent or confeſs any thing, or to accuſe him or her ſelf of any crime or offence, whereby they may be liable to any pain or puniſhment, in pain to forfeit treble dammages to the party grieved, and an 100 l. to the firſt proſecutor, to be recovered by action of debt, *&c.* in which no wager of Law, *&c.* ſhall be allowed.

CLXI. The party offending againſt this Act ſhall be diſabled to execute any employment in any Court of Juſtice, and to exerciſe any Juriſdiction by the force of any Letters Patents from the King.

CLXII. No new Court, which may have the like power that the High Commiſſion pretended to have, ſhall be hereafter erected, but all ſuch juriſdictions, and all acts, ſentences and decrees made by colour thereof, ſhall be utterly void and of none effect.

Vid. Title Courts *and* Eccleſiaſtical Juriſdiction: *n.* 1. 11, &c.

Cui in vitâ.

I. **Weſt.** 2. 3. 13 E. 2. A Writ of *Entry* (called *Cui in vita*) is given to the wife for the recovery of her land, loſt by the default of the husband in his life time: and in his life time alſo ſhe ſhall be admitted to defend her right, if ſhe come in before judgment.

II. The like priviledge is given to the Reverſioner, where the tenant in Dower, by the Courtyſie, for life, or by gift doth loſe by default, or will yeild up the land,

☞ Cuſtoms, Cuſtomers and Controllers.

I. **Stat.** 14 E. 3. 21. A mark ſhall be the Cuſtom of a Sack of wool and of woolfels, and leather the old cuſtom.

II. A Sack of wooll ſhall contain 26 ſtone, and each ſtone 14 pounds; and for every ſack of wooll exported, four nobles worth of ſilver plate ſhall be imported, and brought to the King's exchange, where the party ſhall receive his mony for his plate.

III. Wools ſhall not be cocketed, but in the name of the right owner, in pain to forfeit the ſame.

IV. **Stat.** 14 R. 2. 10. No Cuſtomer or Controuler ſhall have any Ships of his own nor meddle with the freight of Ships.

V. **Stat.** 4 H. 4. 20. Every Cuſtomer upon his account, ſhall be ſworn to render a true account to the King.

VI. **Stat.** 11 H. 4. 2. None that holdeth a common Hoſtery ſhall be a Cuſtomer, Controuler, Finder or Searcher.

VII. **Stat.** 3 H. 6. 3. No Cuſtomer, Collector or Controuler ſhall conceal Cuſtoms duely entred and paid, in pain to forfeit the treble value of Merchandize ſo cuſtomed; and to make fine and ranſom to the King; of which penalties the proſecutor ſhall have a third part.

VIII. **Stat.** 11 H. 6. 15 Every Cuſtomer and Controuler ſhall deliver to the Merchant a warrant (under the Seal of their Office) of the Merchandize to them ſhewed, without fee, in pain to be ſubject to be ſued by the Merchants, and to forfeit for every ſuch default 10 l. to the King, and 5. to the Merchant.

IX. **Stat.** 20 H. 6. 4. Merchant *Denizons* that tranſport any Wooll, Woolfels, or Tin to any other place then the Staple, ſhall pay ſuch cuſtom and other duties for the ſame as Merchants *Aliens* pay.

X. This Statute ſhall not prohibit ſuch as have the King's licence

to

to tranſport thoſe commodities to other places then *Calice*, where (it ſeems) the Staple then was.

XI. **Stat.** 20 *H.* 6. 5. No Cuſtomer, Controuler, Searcher, Surveyor of Searchers, or their Clarks, Deputies, Miniſters, Factors, or ſervants, ſhall have any Ship of their own, uſe Merchandiſe, keep a Wharf, Inn or Tavern, or be a Factor, Attorney, or Hoſt to a Merchant, in pain of 40 l. to be divided betwixt the King and the Proſecutor.

XII. **Stat.** 1 *H.* 7. 2. Aliens made Denizons, ſhall pay ſuch cuſtoms and ſubſidies as they did before they were made Denizons.

XIII. **Stat.** 3 *H.* 7. 7. Every Merchant that, importing any goods into this Realm, entring the ſame with the Cuſtomer of the Port where he lands, and paying there all duties, is minded to tranſport them to ſome other Port, ſhall obtain a Certificate under the Cuſtomers Seals, expreſſing the nature, colour, length, value, content, or weight of ſuch goods, to be directed and delivered to the Cuſtomers of the Port, where they are to be conveyed, before they be diſcharged, in pain to forfeit the ſaid goods, to be divided betwixt the King and the Proſecutor. And the Cuſtomers are to make a true Certificate thereof, in pain to forfeit their Offices, and make fine at the King's pleaſure.

XIV. No Merchant Denizon or Stranger, ſhall make entry of any goods in the Cuſtomer's books, but onely in the name of the right owner, in pain to forfeit the ſame, ſuffer impriſonment, and make fine at the King's pleaſure.

XV. None ſhall take upon him to be a Cuſtomer, Controuler, or Searcher in any City, Borough or Town, while he is a common Officer, or Deputy to a common Officer there, in pain to forfeit 40 l. for every ſix moneths he ſo executes them together, to be divided betwixt the King and the proſecutor.

XVI. **Stat.** 11 *H.* 7. 6. The Cuſtome and Subſidy of all woollen clothes to be carried beyond Sea, whereſoever they were packed, ſhall be paid to the Cuſtomers of the Port, where they ſhall be ſhipped, or to their Deputies.

XVII. **Stat.** 11 *H.* 7. 14. Merchants Strangers though made Denizons, ſhall pay ſuch Cuſtoms and Subſidies as they ſhould have paid, if they had not been made Denizons.

XVIII. **Stat.** 1 H. 8. 5. The Branch of the Statute of 3 *H.* 7. 7. concerning the entry of goods in another's name, is repealed, becauſe it ſeemed to extend as well to *Engliſhmen* as ſtrangers.

XIX. Any *Engliſhman*, and other Subject of the King's, may cuſtom in his own name the goods of another *Engliſhman*, or Subject.

XX. Every Merchant-ſtranger may cuſtom in his own name the goods of another Merchant-ſtranger; ſo that ſuch Merchant-ſtranger, and alſo the owner of the goods be charged with like cuſtom.

XXI. He that ſo cuſtoms goods, that the King thereby loſeth his cuſtom, or other duties, ſhall forfeit the goods to the King, and as much to the party grieved, as the goods are worth.

XXII. None free of the Prizage or Butlerage of Wines ſhall cuſtome any Wines of another, not free thereof, in pain to forfeit the double value of the Wine ſo cuſtomed.

XXIII. An Action of Debt is given to the party grieved againſt him that cuſtoms goods in his own name, when they are another man's, to recover the value of the goods ſo cuſtomed.

XXIV. **Stat.** 4 *H.* 8. 6. No Collector or Controuler of the Subſidy of Cloth of Gold, Silver, Bandekin, Velvet, Damask, Sattin, Sarſenet, Tartron, Chamlet, or other Cloth of Silk, ſhall take any thing for ſealing the ſame, in pain to forfeit 20 l. for every time.

XXV. The Collector or Controuler ſhall not delay the Merchant in ſealing ſuch Merchandize, in pain of 40 s. to be divided betwixt the King and the Merchant grieved.

XXVI. **Stat.** 2. 3 *E.* 6. 22. If any offend, contrary to the Statute of 1 *H.* 8. 5. they ſhall forfeit all their goods and chattels, to be divided betwixt the King and the proſecutor, if the Action be proſecuted within three years.

XXVII. **Stat.** 12 *Car.* 2. *ca.* 4. A Subſidy of Tunnage and Poundage granted to the King for life upon the cauſe and truſt of guarding and defending the Seas, and intercourſe of trade: *viz.* Tunnage,

1. Every Tun of *French* wine brought into the Port of *London*, by Merchants, Subjects natural, 4 l. 10.
By Aliens and ſtrangers, 6 l.
Into other Ports by Subjects, 3 l.
By Aliens, 4 l. 10 s.

2. Muſkadels, Malmſeys, Cates, Tents, Alicants, Baſtards, Sacks, Canariees, Malligoes, Maderoes and all other ſweet wines, by Subjects natives brought into the Port of *London*, the Tun, 2 l. 5 s.
By Stangers and Aliens, 3 l.
Into other Ports by native Subjects, 1 l. 10 s.
By Aliens and ſtrangers, 2 l. 5 s.

XXVIII Poundage, *viz.* 12 d. in the pound of all Merchandiſe goods, according to the Book of Rates, except Woollen cloths made in *England*, called old Draperies, Wines paying Tunnage, Fiſh

Engliſh

English, taken and brought in *English* bottoms, and all fresh fish, and Bestial, and all goods mentioned in the Book of Rates, to be Custom free, 12 d. *per* l.

Of all Woollen broad clothes exported, after the rate of each 64. in weight, and so proportionably, by subjects 3 s. 4 d.

By Strangers Aliens, 6 s. 8 d.

For not paying of which the goods and merchandise shall be forfeit, one moiety of the rate hereof to the King, the other moiety to the Informer that shall seise or sue for the same.

XXIX. Such as have their goods taken by Pyrates or perished at Sea, being born Denizens, may upon proof there before the Lord Treasurer or Baron of the Exchequer, ship so many more goods of the same value without custom: And herrings & fish may be transported in *English* bottoms custom free.

XXX. No rates can be set upon merchandise of Subjects or Alien, but by common consent in Parliament. The Rates intended by this Act agreed by the Common's house of Parliament, and signed by the Speaker.

XXXI. For goods above 5 l. value, the Custom officers shall take such Fees and no other, as were taken in the 4th year of King *James*: untill they shall be otherwise setled by Parliament.

XXXII. Iron, armes, Bandiliers, Bridle-Bitts, Halbert-heads and Shaps, Holsters, Muskets, Carbines, Fowling-pieces, Pistols, Pike-heads, Sword or Rapier blades, Saddles, Snaffels, Stirops, Calve-skins dressed or undressed, Geldings, Oxen, Sheep-skins dressed without the wool, and all sorts of manufactures made of leather may be transported paying the Rates by this act appointed and no other.

XXXIII. Goods when they are at the prices following may be transported, viz.

Gunpowder when the barrel exceeds not	5 l.
Wheat when at the time of the lading the quarter exceeds not	2 l.
Rie, Beans and Peace,	1 l. 4 s.
Barly and Malt,	1 l.
Oats,	16 s.
Bacon the pound,	6 d.
Butter the barrell,	4 l. 10 s.
Cheese the hundred,	1 l 10 s.
Candles the dozen pound,	5 s.

Paying the Rates appointed and no more.

XXXIV. Provided the King by Proclamation may at any time prohibit the transporting Gunpowder, Armes and Ammunition.

XXXV. Above the Rates aforesaid, there shall be paid to the

King of every Tun of Wine of the growth of *France*, *Germany*, *Portugal* or *Madera* brought into *London* or elſewhere 3 l. within four moneths after importing: and all other Wines 4 l. within nine moneths after importing: and the importers ſhall give ſecurity for the ſame: and if the ſaid wines be exported within 12 moneths, the ſaid additional duty ſhall be repayed, and ſecurity diſcharged, as to ſo much exported: all Impoſt of Exciſe diſcharged. And Priſage to pay no Cuſtom.

See Title Ships LXVIII. *Who ſhall pay double Aliens Cuſtomes.*

XXXVI. **Stat.** 12 *Car.* 2. *ca.* 19. For preventing frauds and concealments of Cuſtoms: If any perſon ſhall land and convey away any goods, for which Tunnage and Poundage ought to be paid without entry or agreement for the Cuſtom, upon oath hereof made before the Lord Treaſurer, Baron of the Exchequer, or Magiſtrate of the Port where the offence is committed, or place next adjoyning thereunto, they may grant warrant to ſearch for the ſaid goods, and in caſe of reſiſtance in the day time to break open any houſe, and ſeize and ſecure the ſaid goods, ſo as the ſame be within one moneth after the ſuppoſed offence committed.

XXXVII. In caſe of falſe information the party injured may recover his full dammages and coſts, and this Act to continue unto the end of the firſt Seſſion of the next Parliament and no longer.

XXXVIII. **Stat.** 14 *Car.* 2. *ca.* 11. An Act for the preventing and puniſhing fraudes and violences uſed to avoid the King's Cuſtomes, and for regulating abuſes therein. *See the Statute at large.*

☞ Cuſtoms and Uſages.

I. **Stat.** 31 *H* 8. 3. The Mannors, *&c.* of *Thomas* Lord *Cromwel*, and others within the County of *Kent*, being Gavelkind land, ſhall hereafter deſcend as lands at the Common Law.

☞ *Cuſtos Rotulorum.*

I. **Stat.** 37 *H.* 8. 1. None ſhall be *Cuſtos Rotulorum*, but ſuch as ſhall have a Bill ſigned by the King's hand for the ſame, which ſhall be warrant for the Lord Chancellor to put and continue him in the Commiſſion to be *Cuſtos Rotulorum*, until the King ſhall appoint another.

II. The *Cuſtos Rotulorum* may execute that Office by a Deputy, learned in the Laws, and able to ſupply that place.

III. The *Cuſtos Rotulorum* ſhall have power to appoint the Clerk of

of the peace, who may alſo execute it by a ſufficient Deputy, approved by the *Cuſtos Rotulorum*.

IV. This Act ſhall not inhibit the Arch-biſhop of *York*, the Biſhop of *Durham*, the Biſhop of *Ely*, and all others, having lawfull power (by the grant of the King, or his Progenitors) to make *Cuſtos Rotulorum* within their ſeveral juriſdictions, to uſe the ſame liberty which they had before.

V. **Stat.** 3. 4 *E.* 6. 1. The Lord Chancellor, or Keeper, ſhall appoint the *Cuſtos Rotulorum* in every County of *England*, *Wales*, and other the King's Dominions, who may execute his Office by himſelf, or by his Deputy: Howbeit, the power of others is ſaved, who have power to name the *Cuſtos Rotulorum*.

Days in Bank.

I. **Stat.** *DE Anno Biſſextili*, 21 *H.* 3. The day increaſing in the Leap-year, and the day next going before, ſhall be accounted for one day; and this was done, to avoid the doubt of the year and day, that were wont to be aſſigned to ſick perſons, being impleaded, to the end they might know (when the Leap-year happened) how to reckon their year and day.

II. **Stat.** 51 *H.* 3.

If a Writ come in	Day ſhall be given thereupon unto the
Utas Sancti Mich.	*Utas Sancti Hill.*
Quinzime Mich.	*Quinzime Hill.*
Tres Mich.	*Craſtino Purif.*
Craſtino Anim.	*Quinzime Paſchæ.*
Craſtino Mart.	*Tres Paſchæ.*
Utas Martini.	*Menſe Paſchæ.*
Quinzime Mart.	*Quinque Paſchæ.*
Utas Hillarii	*Utas Trin.* & ſometimes in *Craſt. S. J. B.*
Quindena Hillarii:	*Craſt. & Utas S. J. B.*
Craſt. Purif.	*Quindena S. Jo. Bapt.*
Utas Purific.	*Utas Mich.*
Quindena Paſchæ.	*Quindena Mich.*
Tres Paſchæ,	*Tres Mich.*
Menſe Paſchæ.	*Menſe Michaelis.*
Quinque Paſchæ or *Craſt. Aſcenſ.*	
Utas Trin.	*Craſt. Anim.*
Quindena Trin. or *Craſt, S. Joh. B.*	*Craſt. Mart.*
Utas S. John Bapt.	*Utas Mart.*
Quindena S. J. B.	*Quindena Mart.*

And ſo every Term ſhall anſwer to other. III.

III. **Stat.** 51 *H.* 3. Concerning general Days in a Writ of Dower.

If the Writ come in

- *Octabis Mich.*
- *Quindena Mich.*
- *Tres Michael.*
- *Menſe Mich.*
- *Craſtino Anim.*
- *Craſtino Mart.*
- *Octabis Mart.*
- *Quindena Mart.*
- *Octabis Hill.*
- *Quindeno Hill.*
- *Craſtino Purif.*
- *Octabis Purif.*
- *Quindena Paſchæ.*
- *Tres Paſchæ.*
- *Menſe Paſchæ.*
- *Quinque Paſchæ.*
- *Craſt. aſcenſ.*
- *Octabis Trin.*
- *Quindena Trin.*
- *Craſt. Johannis.*
- *Octabis Johannis.*
- *Quindena Johannis.*

Day ſhall be given untill

- *Craſtino Animarum.*
- *Craſt Martini.*
- *Octabis Martini.*
- *Quindena Mart.*
- *Octabis Hillarii.*
- *Quindena Hillarif.*
- *Craſtino Purif.*
- *Octabis Purif.*
- *Quindena Paſchæ.*
- *Tres Paſchæ.*
- *Menſe Paſchæ.*
- *Craſtino Aſcenſ.*
- *Octabis Trin.*
- *Quindena Trin.*
- *Craſt. Joh. Bapt.*
- *Octabis Joh. Bapt.*
- *Quindena Johannis.*
- *Octabis Mich.*
- *Quindena Mich.*
- *Tres Michael.*
- *Menſe Mich.*
- *Craſtino Anim.*

IV. **Marlbrug,** 12. 52 *H.* 3. In Dower (*unde nihil habet*) four days ſhall be given in the year, and more, if conveinently may be; ſo that they ſhall have five or ſix days (at leaſt) in the year.

V. In Aſſizes of *Darreign preſentment*, and a Plea of *Quare impedit*, days ſhall be given from fifteen to fifteen, or from three weeks to three weeks, according to the diſtance of the place.

VI, In a *Quare impedit*, if the Diſturber come not in upon ſummons, nor caſt an Eſſoine, he ſhall be attached at another day, when if he come not, nor caſt an Eſſoine, the great diſtreſs ſhall iſſue againſt him, when if he come not, a Writ ſhall be ſent to the Biſhop, that the Diſturber claim not for that time to the prejudice of the Plaintiff ſaving unto him his right at another time.

VII. The ſame Law ſhall be obſerved for Attachment, as for Diſtreſſes, ſo that the ſecond Attachment ſhall be made by better pledges, and after the laſt Diſtreſs.

VIII. **Stat.** 32 *H.* 8. 21. There ſhall be onely four days of Return in *Trinity-Term*, viz. *Craſt. Trin. Octab. Trin. Quindena Trin.* and *Tres Trin.*

IX.

IX. This Term shall hereafter begin upon the Munday after Trinity Sunday for keeping of Eſſoines, Profers, Returns, and other ceremonies formerly uſed; and the full Term ſhall begin the Friday after *Corpus Chriſti* Day, being always the Friday next enſuing.

X. If a writ in any reall Action come in and be returnable:

Octabis Hill.			*Craſtino Trin.*
Quindena Hill.			*Octab. Trin.*
Craſtino Purif.			*Quinden Trin.*
Octabis Purif.			*Tres Trin.*
Craſt. Trin.		Day ſhall be given in	*Craſt. Anim.*
Octab. Trin.			*Craſt Martini.*
Quindena Trin.			*Octabis Martini.*
Tres Trin.			*Quindena Mart.*

XI. If any Writ of Dower come in and be returnable.

Quindena Paſchæ.			*Craſtino Trin.*
Tres Paſchæ.			*Octab. Trin..*
Menſe Paſchæ.			*Quind. Trin.*
Quinque Paſe, or *Craſt. Aſcenſ.*			*Tres Trin.*
Craſtino Trin.		Day ſhall be given in	*Octab. Mich.*
Octabis Trin.			*Quind. Mich.*
Quindena Trin.			*Tres Mich.*
Tres Trin.			*Menſe Mich.*

XII. All common Writs and Proceſſes (as well perſonal as mixt) ſhall keep the ſaid returns of *Trinity-Term*, ordained by this Act.

XIII. This Act ſhall not prohibit the Juſtices of the King's Courts of Record, to aſſign ſpecial days of Return, in ſuch caſes and proceſſes, as have uſed to have ſpecial days aſſigned.

XIV. The ſaid Statute of *Marlbidge*, 12 and alſo 5 E. 3. (which *ſee in attaint*) being not contrariant to this Act, ſhall remain firm, notwithſtanding this Act.

XV. Stat. 16, 17 *Car.* 6. There ſhall be onely ſix days of return in *Michaelmas Term*, viz. *Tres Michael. Menſe Michael. Craſt. Anim. Craſtino Mart. Octabis Mart.* and *Quindena Mart.*

XVI. *Michaelmas* Term ſhall hereafter begin at *Tres Mich.* for the keeping of Eſſoines, Profers, Returns, and other ceremonies heretofore uſed, and the full Term ſhall be four days after: Howbeit, if the beginning of the Term, or the ſaid fourth day happen to be Sunday, then the next day is to be kept for it.

XVII. If any Writ in any real action (other then writs of Entry for common Recoveries, writs of right of Advowſon, and Writs of Dower, *unde nihil habet*, hereafter mentioned) come in and be returnable

Tres Mich.	*Craſtino Purif.*
Menſe Mich.	*Octabis Purif.*
Craſtino Anim.	*Quind. Paſchæ.*
Craſtino Mart.	*Tres Paſchæ.*
Octab. Mart.	*Menſe Paſchæ.*
Quindena Mart.	*Quind. Paſch.*
Octab. Hill.	*Craſt. Aſcenſ.*
Quindena Hill.	*Craſt. Trin.*
Craſt. Purif.	*Octab. Trin.*
Octabis Purif.	*Quindena Trin.*
Quindena Paſchæ.	*Tres Trin.*
Tres Paſchæ.	*Tres Mich.*
Menſe Paſchæ.	*Menſe Michaelis.*
Quinq; Paſchæ.	*Craſtino Anim.*
Craſt. Aſcenſ.	*Craſt. Mart.*
Craſt. Trin.	*Octab. Mart.*
Octab. Trin.	*Quindena Mart.*
Quind. Trin.	*Octabis Hillarii.*
Tres Trin.	*Quindena Hillarii*

Then day ſhall be given

XVIII. Provided, that in Writs of Dower (*unde nihil habet*) after iſſue joyned 15 days betwixt the *teſte* and the Term ſhall ſuffice, as is uſed in perſonal actions.

XIX. *Craſtino Aſcenſ.* ſhall be a good return, notwithſtanding there be not 15 days between the *quarto die* of that return, and the Eſſoin-day of the return of *Craſt. Trin.* Alſo the return from *Tres Mich.* to *Craſt. Anim.* ſhall be a good return, albeit there be not 15 days between the *Quarto die* of *Tres Mich.* and the Eſſoin days of *Craſt. Anim.*

XX. All Writs of Summons *ad warrantizandum* againſt Vouchees upon common Recoveries had in Writs of Entrie upon the apparance of the tenant, and all Writs of Right of Advowſon ſhall be abridged to five Returns, as Writs of Summons, *ad warrantizandum* in Writs of Dower have been heretofore uſed.

XXI. This Act ſhall not prohibit the Juſtices of the King's Courts of Record to aſſign ſpecial days of Return in ſuch caſes and proceſſes, as have uſed to have ſpecial days aſſigned.

XXII. The days in Aſſize of *Darreign Preſentment*, and in Plea of *Quare impedit*, limited by the ſaid Statute of *Marelbridge*, and alſo the days given in Attaint, limited by 5 *E.* 3 8. and 23 *H.* 8. 3. (*which ſee in Attaint*) being not contrary to the tenour of this Act, ſhall be held firm, notwithſtanding this Act.

Damages

Damages and Coſts.

I. **Glouceſter**, 1. 6 *E.* 1. Damages are given in Aſſizes of *Novel diſſeiſin* as well againſt the alienee of the diſſeiſor, as againſt the diſſeiſor himſelf; ſo that every one ſhall anſwer for his time.

II. The diſſeiſee ſhall recover damages in a Writ of *Entrie* upon *Novel diſſeiſin* againſt him that is found tenant after the diſſeiſor.

III. Damages ſhall be awarded in all caſes, where one recovereth in an Aſſize of *Mortdanceſter*. And alſo in Writs of Coſinage, *Ayel* and *Beſayel*.

IV. The Demandant may recover againſt the Tenant the coſts of his Writ, together with the damages, aforeſaid, and this Act ſhall hold place in all caſes, where the party is to recover damages.

V. **Glouceſter**, 14. 6 *E.* 1. Diſſeiſees in *London*, ſhall have damages by Recogniſance of the ſame Aſſize, whereby they recovered their lands, and the Diſſeiſors ſhall be amerced before two Barons of the Exchequer, which ſhall reſort once a year into the Cities to do it, and the Barons and Treaſurer ſhall cauſe it every year to be levied by two of them at their riſing after *Candelmas*, And the Amerciaments ſhall be levied by ſummons of the Exchequer to the King's uſe.

VI. Expoſition of **Glouceſter**, 6 *E.* 1. where any have entred by a Diſſeiſor, the damages ſhall run from the time of the Statute publiſhed.

VII. In Writs of Entrie *ſur diſſeiſin*, *Mortdanceſter*, *Coſinage*, *Byel*, and *Beſayel*, and touching intruſion, or of ones own act, by any manner of Writ, the damages ſhall run after the Writ purchaſed againſt them that held ſince the Statute, albeit their Anceſtors died ſeiſed thereof.

VIII. **Stat.** 3 *H.* 7. 10. Where any perſon bound by a judgement ſhall ſue (before execution had) a Writ of Error to reverſe it, if the judgment be affirmed, the Writ diſcontinued, or the party that ſueth it be nonſuit, the party againſt whom the Writ is brought, ſhall recover his coſts and damages at the diſcretion of the Juſtices before whom the ſaid Writ is ſued.

IX. **Stat.** 19 *H.* 7. 20. The Statute of 3 *H.* 7. 10. is confirmed, and ſhall be duly put in execution.

X. **Stat.** 23 *H.* 8. 15. If the Plaintiff be nonſuit or overthrown by lawfull triall in any action, Bill, or Plaint, for treſpaſs upon the Statute of 5 *R.* 2. 7. *which ſee in forcible Entrie*, 1.) or for any debt or covenant, upon ſpecialty or contract, or for *detinue*, account upon the caſe, or upon any Statute, the Defendant ſhall in ſuch caſe,

have

have his coſts, to be aſſeſſed by the Judge or Judges of the Court, and to be recovered as the Plaintiff might have recovered his, in caſe Judgment had been given for him.

XI. Here, he that ſues *in forma pauperis*, ſhall (not pay coſts, but) ſuffer ſuch puniſhment as the Juſtices or Judge of the Court ſhall think fit.

XII. **Stat.** 24 *H.* 8. 8. There ſhall be no coſts awarded to the Defendant, when any action is ſued to the King's uſe.

XIII. **Stat.** 43 *El.* 6. In perſonal actions in the Courts at *Weſtmin.* (being not for land or battery) when it ſhall appear to the Judges (and ſo by them ſignified) that the debt or damages to be recovered, amount not to the ſumme of 40 s. or above, the ſaid Judges ſhall award to the Plaintiff no more coſts then damages, but leſs, at their deſcretion.

XIV. **Stat.** 4 *Ja.* 3. If the Demandant or Plaintiff be nonſuit or overthrown by lawful trial, in any action whatſoever, the tenant or Defendant ſhall have coſts, to be aſſeſſed and levied, as coſts are to be aſſeſſed and levied, by the *Stat.* of 23 *H.* 8. 15.

XV. **Stat.** 21 *Ja.* 16, In Actions of Slander, if the Jury find, or aſſeſs the damages under 40 s. the Plaintiff ſhall recover no more coſts then damages.

Darrein Preſentment.

I. **Magna Charta,** 13. 9 *H.* 3. Aſſizes of *Darrein Preſentment* ſhall be taken before the Juſtices of the Bench, and there ſhall be determined.

Debt.

I. **weſt.** 2. 13 *E.* 1. None ſhall reſtrain a forreigner in any City, Burrough, Town, Market, or Fair, for any debt, wherefore he is not debtor or pledge, in pain to be grievouſly puniſhed; and if he be, the diſtreſs ſhall be re-delivered without delay by the Bailiff of the place, or the King's Bailiff, if need be.

II. **Stat.** 1 *R.* 2. 12. No Warden of the Fleet ſhall ſuffer any priſoner, (being in by judgment) to go at large, by mainprize, Bail, or Baſton, without agreeing with the party for the thing adjudged (unleſs it be by Writ, or other command of the King) in pain to loſe his Office.

III. The Warden being attainted thereof by due proceſs, the Plaintiff ſhall have their recovery againſt him by Bill of Debt.

IV. If any perſon, being judged to another priſon, ſhall (with purpoſe

purpoſe to be removed to the Fleet, and their to have more liberty) conſeſs himſelf Debtor to the King, the ſaid Recognizance ſhall be received; and if he be not Debtor to the King upon record, he ſhall be remanded, and their remain untill he hath agreed with the party, and afterwards ſhall be ſent to the Fleet, and there remain untill the King be ſatisfied the Cognizance.

V. Stat. 2 *R.* 2. *Parl.* 2. 3. Where a Debtor makes a fraudulent conveyance to defraud the Creditor, if upon the *Capias* for the debt, the Sheriff return, he hath not taken him, becauſe of ſome priviledged place where he lies; the Sheriff ſhall have another Writ to make proclamation once a week, five weeks together, at the gate of the priviledged place, that the party appear at the day comprized in the laſt Writ; and then upon return of the ſaid laſt Writ, that proclaimation is made accordingly; if the party appear neither by himſelf, nor his Attorney, judgment ſhall be given againſt him upon the principal for his default, and alſo (the Colluſion being proved) Execution had of all his goods and lands, without the place priviledged, as well thoſe demiſed as others.

VI. Stat. 3 *Jac.* 15. Every Citizen and Freeman of *London*, and every other perſon there inhabiting, being a Tradeſman, Victualler, or Labourer, which hath any debt due to him, not amounting to 40 s. by any ſuch perſon as aforeſaid, may cauſe the debtor to be ſummoned to the Court of Requeſts at *Guildhall* upon a writing to be left at the debtors houſe by an officer of the ſame Court, or by ſome other reaſonable warning, to appear before the Commiſſioners there, who (or any three of them) ſhall have power to make orders therein, to be regiſtred in a Book, and duly obſerved by both parties.

VII. The Commiſſioners alſo, (or any three or more of them) have power to adminiſter oaths both to the parties and witneſſes.

VIII. If any ſuch perſon, as aforeſaid, for any ſuch debt commence any ſuit elſewhere, againſt any other like perſon, and that it appear to the Judge upon the Defendants own oath, or other ſufficient teſtimony, that he is a Freeman, or inhabitant of *London*, as aforeſaid, and alſo that the damages ſued for, amount not to 40 s. the ſaid Judge ſhall not allow to the Plaintiff any coſts of ſuit at all, but ſhall award to the Defendant his reaſonable coſts.

IX. None ſhall refuſe to appear upon due ſummons, or to obey the Commiſſioners orders, in pain to be impriſoned in one of the Counters of the ſaid Officer, or any other of the Serjeants at Mace of the City, there to maintain, untill their orders be performed.

X. This Act ſhall not extend to any debt for rent, real contracts,

or

or concerning Teſtaments, Matrimony, or any thing belonging to the Eccleſiaſtical Court.

XI. **Stat. 7 Ja.** 12. None keeping a Shop-book, his Executors or Adminiſtrators ſhall be allowed to give it in evidence for wares or work, above one year before the Action brought, unleſs they having obtained a Bond or Bill for the debt, or brought an Action thereupon, within one year before the wares delivered or work done.

XII. This Act ſhall not hold place between Merchant and Merchant, Tradeſmen and Tradeſmen, or Merchant and Tradeſman, for any thing, falling within the compaſs of their mutual Trades and Merchandize.

Debt to the King.

I. **Magna Charta**, 8. 9 *H.* 3. The King nor his Bailiffs ſhall levie any debt upon lands or rents, ſo long as the debtor hath goods and chattels to ſatisfie, neither ſhall the pledges be diſtrained ſo long as the principal is ſufficient; but if he fail, then ſhall the pledges anſwer the debt: Howbeit, they ſhall have the debtors lands and rents, untill they be ſatisfied, unleſs he can acquit himſelf againſt the pledges.

II. **Magna Charta**, 18 9 *H.* 3. The King's debtors dying, the King ſhall be ſerved before the Executor.

III. **Weſt.** 1. 19. 3 *E.* 1. The Sheriff having received the King's debt, upon his next account, ſhall diſcharge the debtor thereof, in pain to forfeit three times ſo much to the debtor, and to make fine at the Kings will.

IV. The Sheriff or his heirs, ſhall anſwer all moneys, that they who he imploys, do recive; and if any other that is anſwerable to the Exchequer by his own hands do ſo, he ſhall render thrice ſo much to the Plaintiff, and make fine, as before.

V. Upon payment of the King's debt, the Sheriff ſhall give a tallie to the debtor, and the proceſs or levying the ſame ſhall be ſhewed him upon demand without fee, in pain to be grievouſly puniſhed!

VI. **Artic. ſuper Chartas**, 12. 28 *E.* 1. Beaſts of the Plough ſhall not be diſtrained for the King's debt, ſo long as others may be found upon ſuch pain, as is elſewhere ordained by Statute, (*viz. by the Statute* De diſtrictione Scaccarii, 51 *H.* 3. *which ſee in Diſtreſs.*)

VII. The great Diſtreſſes ſhall not be taken for his debts, nor driven to farre, and if the the debtor can find convenient ſurety, the

diſtreſs

diſtreſs ſhall in the mean time be releaſed: and he that doth not otherwiſe ſhall be grievouſly puniſhed.

VIII. **Stat. 13 El. 4.** All the lands, tenements and hereditaments, with any Accomptant of the Queen, her heirs and ſucceſſors, hath while he remains accomptable, ſhall for the payment of the debts of the Queen, her heires and ſucceſſors be lyable and put in execution in like manner, as if ſuch Accomptant had ſtood bound by writing Obligatorie, (having the effect of a Statute ſtaple) to her Majeſty, her heirs and ſucceſſors for payment of the ſame.

IX. If this *ſuper* be not paid within ſix moneths after the accompt paſt, the Queen, *&c.* may ſell ſo much of his eſtate as will anſwer the debt, and the overplus of the ſale is to be rendred to the Accomptant or his heirs, by the Officer, that receives the purchaſe-money, without further warrant.

X. If ſuch an Accomptant or Debtor purchaſe lands in others names, in truſt for his uſe, that being found by Office or inquiſition, thoſe lands alſo ſhall be liable to ſatisfie the debt, in ſuch manner as before is expreſſed.

XI. Lands purchaſed by Accomptants, ſince the beginning of the Queen's Reign, either in their own names, or in the names of others in truſt for their uſe, ſhall be alſo liable to be ſold for the diſcharge of their debts, as aforeſaid, rendering the overplus to the Accountant, as before.

XII. Provided, that Biſhops lands ſhall be onely chargeable for Subſidie or Tenths, as they were before the making of this Act, and not otherwiſe.

XIII. Neither ſhall this Act extend to charge any Accomptant, whoſe yearly receipt exceeds not 300 l. otherwiſe then as he was lawfully chargeable before this Act.

XIV. Neither ſhall this Act extend to ſuch accomptants, as by order of their Offices and charge immediately after their accompts paſt, are to lay out money again, ſuch as are the Treaſurers of War, Garriſons, Navie, proviſion of Victuals, or for Fortifications, or Buildings, and the Maſter of the Wardrobe, unleſs the Queen, *&c.* command preſent pay.

XV. Neither doth this Act extend to Sheriffs, Eſcheators, or Bailiffs of Liberties, concerning whoſe Accompts, the courſe remains the ſame that it was before.

XVI. Lands bought of an Accomptant, *bona fide*, and without notice of any frandulent intent in the Accomptant, ſhall be diſcharged: And if they be found by Office, yet ſhall they upon traverſe be diſchared without livery, *Ouſtre le main*, or other ſuit.

XVII. The Queen, *&c.* being ſatisfied by ſale of land, the ſureties ſhall be diſcharged for ſo much, and if any yet remaine unpaid, the ſurities ſhall pay the reſidue ratably according to their abilities.

XVIII. **Stat.** 14 *El.* 7. The Statute of 13 *El.* 4. ſhall alſo extend to make the lands, *&c.* and goods of Under-Collectors (ſubſtituted by Biſhops, and (*ſede vacante*) by Dean and Chapter to collect the Tenths and Subſidies, of the Clergie liable to their debts.

XIX. The ſaid Under-Collectors ſhall accompt in the Exchequer, and the Biſhop, and Dean and Chapter, (*ſede vacante*) ſhall be diſcharged of ſo much as is levied of the Under-Collectors lands, *&c.* and goods.

XX. **Stat.** 27 *El.* 3. The Queen, *&c.* may make ſale of the Accomptants lands, *&c.* as well after his death, as in his life time, and as well where the Accompt is made, and the debt known within eight years after his death, as where the accompt was made, and the debt known in his life-time.

XXI. Provided, that after the Accomptants death, and before the lands be ſold, a *Scire facias* ſhall be awarded to garniſh the heirs; to ſhew cauſe why lands, *&c.* ſhould not be ſold, *&c.* whereupon if the heir upon ſuch garniſhment, or two *Nichils* returned, do not prove unto the Court, that the Executors, or Adminiſtrators of the Accomptant have ſufficient, then 10 moneths after ſuch two *Nichils* or garniſhment returned, the lands, *&c.* ſhall be ſold, and diſpoſed according to the *Stat.* of 13 *Eliz.* 4.

XXII. Nevertheleſs, the heirs ſale, *bona fide*, upon good conſideration before the *Scire Facias* awarded ſhall be good to him, that is not conſenting to defraud the Queen, *&c.*

XXIII. This Statute ſhall extend to all Officers of Receipts and Accompts to her Majeſty, and to no other.

XXIV. If the debt grow in the Courts of the Dutchie or Wards, a privie Seal ſhall iſſue out againſt the heir to appear at a certain day to ſhew cauſe, *&c.* when, if he appear not upon *Affidavit* made that it was duly ſerved, an Attachment, with Proclamation, ſhall iſſue out againſt him to be proclaimed in ſome open Market in the County where he dwels twenty days (at leaſt) before the retrun thereof, whereupon, if he appear not, the lands, *&c.* ſhall be ſold and diſpoſed, as aforeſaid.

XXV. The heirs lands ſhall not be ſold, during his minority, but at any time, within eight years after his full age, they ſhall be liable, as aforeſaid.

XXVI. If the Accomptant or Debtor had a *Quietus eſt* in his life-time, that ſhall diſcharge the heir of the debt.

XXVII.

XXVII. **Stat.** 7 *Jac.* 15. No debt ſhall be aſſigned to the King, *&c.* by any debtor or Accomptant, other then ſuch debts as did before grow due originally to the Kings Debtor or Accomptant, *bona fide.*

XXVIII. All Grants and Aſſignments of debts to the King, *&c.* contrary to the true intent of this Act ſhall be void.

Decies tantum.

*I. **Stat.** 38 *E.* 3. 12. If a Juror take any thing of either party, to give his verdict, and be attainted thereof by proceſs contained in the Article of *Furors* of the 34 *E.* 3. 8. (*which ſee in Furors,*) he ſhall pay ten times ſo much as he hath taken, to be divided betwixt the King and the proſecutor; And all imbraceors that procure ſuch Inqueſt, ſhall incurre the like puniſhment.

II. If the Juror or Embraceor have not whereof to make gree, he ſhall ſuffer a years impriſonment.

III. But no Juſtice or other Officer ſhall inquire of this offence *ex officio.*

Declaration.

I. **Stat.** 36 *E.* 3. 15. By the ancient terms and forms of pleaders, no man ſhall be prejudiced, ſo that the matter of the action be fully ſhewed in the Declaration and in the writ.

Deeds and Writngs.

I. **Stat.** 1 *M. Parl.* 1 Seſſ. 2. *cap.* 4. All Statutes, Recognizances and writings made by or to any perſon ſince the ſixth of *July* laſt, and before *Auguſt* under the name of any other then the Queen ſhall be good.

II. This Act ſhall not extend to make good any letters patents, commiſſons, grants, or other writings made by the Lady *Jane Dudley* ſince the ſaid ſixt of *July* laſt.

Demurrers.

I. **Stat.** 27 *El.* 5. After Demurrer joyned and entred the Judges, ſhall proceed and give judgment according to the right of the cauſe and matter in law, without regard to any defect in the proceeding, except ſuch onely as the party ſhall expreſs, together with his demurrer; after which time no judgment ſhall be reverſed by

writ of *Error* for any other defect, then ſuch as he ſhall there mention; And if there happen to be any other, the Judges may amend them.

II. This Act ſhall not extend to the proceeding in an Appeal of felony or murther upon an Indictment, Preſentment, or penal Statute.

Dilapidations.

I. **Stat.** 13 *El.* 10. If any Eccleſiaſtical perſons who are bound to repair the buildings, whereof they are ſeized in right of their Place or Function, ſuffer them to fall into decay for want of repair, and make fraudulent gifts of their perſonal eſtate, with purpoſe to hinder their ſucceſſors from recovering dilapidations againſt their executors or Adminiſtrators: in ſuch caſe, the ſucceſſors ſhall have like remedy in the Eccleſiaſtical Court againſt the grantee of ſuch perſonal eſtate, as he might have had againſt the executor or adminiſtrator of the predeceſſor.

II. **Stat.** 14 *El.* 11. All moneys recovered for dilapidations ſhall within two years be imployed upon the buildings, for which they were paid, in pain to forfeit to the Queen, &c. double ſo much as ſhall not be ſo imployed.

☞ Deceit.

* I. **Weſt.** 1. 29. 3 *E.* 1. If any perſon do act or conſent to any thing in deceit of the Court or party, and thereof be attainted, he ſhall ſuffer a year and a days impriſonment at leaſt; and if he be a pleader, he ſhall be alſo expelled the Court, and if they ſhall deſerve greater puniſhment, it ſhall be at the King's pleaſure.

II. Officers, Criers of Fee, and Marſhals of Juſtices in *Eyre* ſhall not take money otherwiſe then they ought to do, in pain to pay the treble thereof to the complainants.

III. **Stat.** 2 *E.* 3. 17. A Writ of deceit ſhall be maintainable as well in caſe of garniſhment touching a Plea of land, as in caſe of ſummons in Plea of land.

Diſcontinuance of right or eſtate.

I. **Stat.** 11 *H.* 7. 20. If a woman, that hath an eſtate in Dower for life, or in tail joyntly with her husband, or onely to her ſelf, or to her uſe in any lands, &c. of the Inheritance or purchaſe of her husband

husband, or given to the husband and wife by the husbands anceſtors, or any ſeized to the uſe of the husband or his anceſtors, do ſole, or (with an after taken husband) diſcontinue or ſuffer a recovery by coven, it ſhall be void, and he, to whom the land ought to belong after the death of the ſaid woman, may enter (as if the woman were dead) without diſcontinuance or recovery.

II. Provided, that the woman may enter after the husbands death; but if the woman were ſole, the recovery or diſcontinuance barreth her for ever.

III. This Act extends not to any recovery or diſcontinuance with the heir next inheritable to the woman, or by his conſent of record enrolled.

Diſcontinuance of proceſs.

I. **Stat.** 11 *H.* 6. 6. No ſuit before Juſtices of Peace ſhall be diſcontinued by a new Commiſſion of Peace.

II. **Stat.** 1 *E.* 6. 7. The death of the King ſhall not diſcontinue any ſuit betwixt party and party, neither ſhall the variance between the original and judicial proceſs in reſpect of the King's name be material, as concerning any default to be alledged therefore.

III. Aſſizes of *Novel diſſeiſin*, *Mortdanceſter*, *Juris utrum*, or Attaints ſhall not be diſcontinued by reaſon of death, new Commiſſions, Aſſociations, or the not coming of the ſame Juſtices, or any of them.

IV. Preferment of the demandant or plaintiff to be Duke, Archbiſhop, Marqueſs, Earl, Vicount, Baron, Biſhop, Knight, Juſtice of the one Bench or the other, or Serjeant at Law, ſhall not make the ſuit abatable.

V. Preferment of a Juſtice of Aſſize, Goal-delivery, or Peace, or of any other Commiſſioner to the dignities aforeſaid, or to be Sheriff, ſhall not leſſen his power. *But note that* to be Sheriff, *is altered by* 1 M. Parl. 1. 8. *which ſee in Sheriffs.*

VI. New Juſtices of Goal-delivery may give judgment of a priſoner found guilty of treaſon or felony, though he were reprieved by other Juſtices.

VII. No proceſs or ſuit before Juſtices of Aſſize, Goal-delivery, *Oyer* and *Terminer*, or Peace, or other of the King's Commiſſioners ſhall be diſcontinued by a new Commiſſon, or by the alterations of any of their names.

☞ Diſpenſations.

I. **Stat.** 28 *H.* 6. 16. All Bulls, Breves, Faculties and Diſpenſations from the Biſhop or See of *Rome* to any of the Kings ſubjects in any of the Kings Dominions ſhall be void, and ſhall not be uſed in pain of a *Præmunire.*

II. Former lawfull marriages are confirmed.

III. A confirmation of all Arch-biſhops, and Biſhops, and their authority, and of other Eccleſiaſtical perſons and orders by authority of this Act, and not by any forreign power.

IV. The effect and contents of all Bulls, Breves, and other faculties purchaſed of the See of *Rome*, which are allowable, ſhall be confirmed under the great Seal.

Diſtreſſes.

I. **Stat.** *de diſtrictione ſtaccarii*, 51 *H.* 3. The owner of impounded cattel may give them food without diſturbance.

II. A diſtreſs taken for the Kings debt ſhall not be ſold within fifteen days, and upon ſhewing of a tallie, and giving ſurety for his appearance in the Exchequer upon the next accompt, the diſtreſs ſhall ceaſe: the Sheriff ſhall alſo attach the party that received the debt to be there alſo at the ſame time.

III. Neither draught nor cattel, nor ſheep ſhall be diſtrained (except for *damage feaſant*) ſo long as other goods may be found to ſatisfie the debt: diſtreſſes ſhall be reaſonable; The Sheriff ſhall anſwer all debts received; and where the Sheriff chargeth himſelf the debtor ſhall be acquitted.

IV. **Marlbr.** 1. 52 *H.* 3. All perſons (high and low) ſhall receive juſtice in the King's Court.

V. None ſhall take any diſtreſs of his own authority without award of our Court, in pain (upon conviction thereof) to be puniſhed by fine, according to the treſpaſs; and the party grieved ſhall be alſo recompenſed his loſs.

VI. **Marlb.** 2. 52 *H.* 3. None ſhall diſtrain any to come to his Court, that is not of his Fee, or upon whom he hath no juriſdiction; neither ſhall diſtreſſes be taken out of the fee or place where he hath no juriſdiction, in pain that the offender ſhall be puniſhed, as before.

VII. **Marlb.** 3. 52 *H.* 3. If any will not ſuffer diſtreſſes to be delivered by the King's officers, or ſummons, attachments, or executions

tions of judgments given in the King's Court to be done he ſhall be puniſhed as aforeſaid.

VIII. If a Lord diſtrain his tenant for a thing, for which he hath cauſe to diſtrain, and yet it is afterwards found not to be due; in ſuch caſe, if the Lord ſuffer the diſtreſs to be delivered, he ſhall not be fined; but onely amercied, nevertheleſs the tenant ſhall alſo recover his damages againſt him.

IX. **Marlb.** 4. 52 *H.* 3. None ſhall drive a diſtreſs out of the County wherein it was taken, in pain to make fine, as before: And if a Lord preſume ſo to do againſt his tenant, he ſhall be grievouſly amercied.

X. None ſhall take an unreaſonable diſtreſs, in pain to be grievouſly amercied.

XI. **Marlb.** 15. 52 *H.* 3. It ſhall be lawfull to none (except the King and his Officers, having ſpecial authority) to take diſtreſſes out of his fee, or in the King's high way, or in the common ſtreet.

XII. **weſt.** 1. 16. 3 *E.* 1. None ſhall drive a diſtreſs out of the County, or diſtrain wrongfully, or out of his fee, in pain to be puniſhed, as by the Statute of *Marlb.* is provided, or more greivouſly, if the Treſpaſs ſo require.

XIII. **weſt.** 17. 3 *E.* 1. If Beaſts be impounded in a Caſtle or Fortreſs, and (after convenient notice to the impounder, *&c.*) not ſuffered to be replivied by the Sheriff, or ſome other of the King's Bailiffs, the King will command that Caſtle or Fortreſs to be demoliſhed: and (after the firſt demand of the Sheriff or Bailiff) the Plaintiff ſhall recover double damages againſt the Lord, or impounder, or if the impounder be not able, then againſt the Lord onely.

XIV. In this caſe, if the Bailiff of the Franchiſe refuſe to do it, then ſhall the Sheriff do it himſelf upon the aforeſaid pains.

XV. Alſo deliverance ſhall be made by attachment of the Plaintiff made without writ, and upon the ſame pain.

XVI. **weſt.** 2. 36. 13 *E.* 1. None ſhall procure any to diſtrain anther to make him appear at the County-court, or any other inferiour Court, on purpoſe to vex him and put him to charge and trouble, in pain to make fine to the King, and to pay to the party greived, treble damages.

XVII. **weſt.** 2. 37. 13 *E.* 1. No diſtreſs ſhall be taken but by Bayliffs known and ſworn, in pain to reſtore damages to the party greived, and to be greivouſly puniſhed by the King.

XVIII. **Artic. Cler.** 9. 9 *E.* 2. Diſtreſſes ſhall not be taken in the high way, nor in the ancient ſees of the Church.

* XIX. **Stat.** 1. 2 *P. M.* 12. No diſtreſſee of Cattel ſhall be driven out of the Hundred, where it is taken, except to a pound overt within the ſame Shire, nor above three miles diſtant from the place where it was ſo taken: neither ſhall a diſtreſs be impounded in ſeveral places, whereby the owner may be conſtrained to ſue ſeveral *Replevins* for the delivery thereof: in pain to forfeit to the party grieved for every offence committed againſt this Act 5 l. and treble damages.

XX. None ſhall take above 4 d. for the poundage of one diſtreſs, (and where leſs is uſually taken, to take leſs) in pain to forfeit to the party grieved 5 l. beſides what is taken above.

XXI. The Sheriff ſhall at his firſt County-day, or within two months, after he receives his Patent, depute, and proclaim in the Shire-Town four Deputies to make *Replevins*, not dwelling above 12 miles diſtant one from another, in pain to forfeit for every moneth he wants ſuch Deputy or Deputies 5 l. to be divided betwixt the King and proſecutor.

Dover, *ſee Title* Havens *and* Rivers *num.* XIV.

I. **Articuli ſuper Chartas,** 7 28 *E.* 1. The Conſtable of *Dover*-Caſtle ſhall not hold plea of any forrain County within the Caſtle gates, except it concern the keeping of the Caſtle; neither ſhall he diſtrain the Inhabitants of the five Ports to plead elſewhere, or otherwiſe then they as they ought, according to the form of their Charter, confirmed by the great Charter.

Dower,

I. **Merton,** 1. 20 *H.* 3. A woman deforced of her Dower or *Quarentine*, in a Writ of Dower ſhall recover damages, *viz.* the value of her Dower from her husbands death to the day of the Recovery of her Dower and the deforceor ſhall be amerced.

II. **Weſt.** 2. 48. 3 *E.* 1. In a Writ of Dower (*unde nihil habet*) the Writ ſhall not abate by the exception of the Tenant that ſhe hath received her Dower of another before the writ purchaſed, unleſs he can ſhew, that ſhe received part of her Dower of himſelf and in the ſame Town before the Writ purchaſed.

III. **Weſt.** 2. 4. 13 *E.* 1. The Wife ſhall be endowable, as well where land was recovered againſt her husband by default as by coyin; ſo that albeit the land was loſt by the husbands default, yet

yet that ſhall be no good allegation for the tenant, but he muſt then proceed and ſhew his right, otherwiſe the wife ſhall recover.

IV. When Tenant in Dower, in Frank-marriage, by the courteſy, for life or in tail, loſe their land by default, and the tenant is compelled to ſhew his right, they may vouch the Aeverſioner, if they have warranty; and then the Plea ſhall paſs betwixt the tenant and the warranter according to the tenor of the Writ, by which the tenant recovered by default; and ſo from many actions they ſhall reſort to one judgment, *viz.* that the demandants ſhall recover that demand, and the tenants ſhall go quit.

V. Here, if the Action of ſuch a Tenant, which is compellable to ſhew his right, be moved by a writ of right, albeit the great Aſſize or Battel cannot be joyned by words accuſtomed, yet ſhall it in that caſe be joyned by words convenient.

VI. If the wife be wrongfully endowed by the Guardian, during the minority of the heir, he (at full age) ſhall be righted; yet ſhall the wife retain her juſt Dower, if ſhe make her title good.

VII. By this Statute, in place of a writ of right, a *Quod ei deforceat* is given to tenant in Dower, in free marriage by the courteſie for life, and in tail, upon loſing by default.

VIII. **Stat.** 1 *E.* 6. 12. The wife ſhall be endowed albeit her husband were attainted, convicted, or outlawed for treaſon or felony, ſaving the right of others. *But note that this clauſe is altered for Treaſon by* 5 E. 6. 12. *Which ſee in* Treaſon.

☞ Drapery.

* I. **Stat.** 11 *E.* 3. 3. No Clothes made beyond Sea ſhall be brought into the King's Dominions, in pain to forfeit the ſame, and to be further puniſhed at the King's will.

* II. **Stat.** 11 *E.* 3. 5. Cloth-workers of ſtrange lands which come into the King's dominions, ſhall have the King's protection, dwell where they pleaſe, and have convenient franchiſes granted unto them.

III. **Stat.** *of Clothes*, 25 *E.* 3. *Stat.* 4. All Clothes vendible ſhall be meaſured by the King's Aulnager or his Deputies.

IV. Every cloth of Ray ſhall be 28 yards long, and ſix quarters broad, and is to be meaſured by the Liſt; alſo the length of a coloured cloth ſhall be 26 yards, and the breadth ſix quarters and an half, and ſuch clothes are to be meaſured by the back. *But this Statute for the meaſure is altered by* 27 E. 3. *Stat* 4.

* V. **Stat.** 27 *E.* 3. *Stat.* 1. 4. Clothes ſhall not be forfeit for want

want of meaſure, but the Aulnager ſhall meaſure them, and fix a mark thereunto, expreſſing what each cloth contains; and he ſhall take for his fee of the ſeller an half penny for every cloth which is of Aſſize, and a farthing for an half cloth, but he ſhall take nothing for leſſer clothes, neither ſhall he meddle with cloths which are not to be ſold, and the buyer ſhall pay according to the quantity of the cloth.

VI. A ſubſidy granted to the King of every cloth, *viz.* a cloth (not grained) of aſſize 4 d. the half cloth 2 d. Scarlet 6 d. and 3 d. half grained, 5 d. and 2 d. ob.

VII. Every cloth paſſing half a cloth by three yards ſhall pay ſubſidy for a whole cloth.

VIII. No ſubſidy ſhall be paid for an half cloth, nor for cloth made for a man's own uſe, or ſealed by the Aulnager for ſubſidy paid before.

IX. Clothes put to ſale before they be ſealed ſhall be forfeited to the King.

X. **Stat.** 50 *E.* 3. 7. Woollen clothes ſhall not be tranſported beyond Sea, or pay ſubſidy before they be fulled.

XI. **Stat.** 50 *E.* 3. 8. Clothes called *Friſe-ware* made of *Iriſh* wooll ſhall pay no ſubſidy or Aulnage.

* XII. **Stat.** 3 *R.* 2. 2. The Aulnager ſhall not ſeal a pieced cloth, in pain that the owner ſhall forfeit the cloth and the Aulnager his Office.

XIII. If he ſeal a cloth which is not of Aſſize, he ſhall forfeit the value of the cloth and his office; and beſides ſuffer impriſonment, and be ranſomed at the King's will.

XIV. **Stat.** 7 *R.* 2. 9. A confirmation of all Statutes made againſt deceit in clothes to be ſold, and againſt Aulnagers and Collectors of the ſubſidy of clothes.

* XV. He that findeth defects in any clothes contrary to former Statutes ſhall have the value of the third part of ſuch clothes, which nevertheleſs ſhall be anſwered to the King by the Aulnager together with the reſt of the clothes forfeited.

XVI. **Stat.** 13 *R.* 2. 10. Cogware and Kendal cloth ſhall not be ſubject to the Statutes of Aſſize of cloth, but ſhall be made of ſuch length and breadth, as formerly, ſo it be alſo made of ſuch courſe wooll as formerly.

* XVII. **Stat.** 13 *R.* 2. 11. No plain clothes tacked or folded made in the Counties of *Somerſet*, *Dorſet*, *Briſtol* and *Glocceſter* ſhall be put to ſale before they be opened, in pain to forfeit them.

XVIII. The Workers, Weavers, and Fullers ſhall put their ſeals

to

to every cloth, upon a certain pain to be limited by the Juſtices of Peace.

* XIX. **Stat.** 17 *R.* 2. 2. No cloth ſhall be ſold before it is meaſured and ſealed by the Aulnager, upon the paines contained in the Statutes thereof made.

XX. No deceit ſhall be uſed in Kerſeys, in pain to forfeit the ſame.

XXI. **Stat.** 4 *H.* 4. 24. The Aulnage may be let to farm by improvement, according to the diſcretion of the Lord Treaſurer and Barons of the Exchequer, notwithſtanding the Statute of the 17 *R.* 2. *which ſee in* Officers.

XXII. **Stat.** 9 *H.* 4. 2. No cloth called *Kendal*, whereof the dozen paſſeth not 6 s. 8 d. ſhall be ſealed, neither ſhall any Aulnage be paid for the ſame.

* XXIII. **Stat.** 11 *H.* 4. 6. None ſhall tack or plight together clothes before the Aulnager hath ſet his ſeal unto them, in pain to forfeit the ſame.

* XXIV. If the Aulnager be attainted to doe contrary to this Statute, he ſhall forfeit to the King for the firſt offence 10 l. And for the ſecond 20 l. And for the third offence, his body ſhall be arreſted, and all his Goods and Chattels at the King's will: And here the proſecutor ſhall have a fourth part of the ſaid forfeitures of 10 and 20 l. ſaving to the Lords and other their Franchiſes.

* XXV. **Stat.** 11 *H.* 6. 9. This word *Cloth* in the aforeſaid Statutes of 7 *H.* 4. 10. and 11 *H.* 4. 6. ſhall be underſtood of *Broad Cloth* and *broad dozens*, and not of *Streats*.

XXVI. Every man may make and ſell all Streats containing in length 14 yards, and in breadth one yard unwatered, or elſe 12 yards watered, paying to the King the due Aulnage, ſubſidy, cuſtoms, and other devoirs.

XXVII. If Streats want the aforeſaid length and breadth, The Aulnager ſhall cut off the liſt thereof at one of the ends, to the end it may be afterwards ſold as a remnant; and not for a cloth.

XXVIII. No ſuch clothes ſhall be put to ſale, untill they be meaſured, ſearched and ſealed by the Aulnager, in pain to forfeit the ſame.

XXIX. The Aulnager, that ſealeth any Streats wanting the length and breadth aforeſaid, and cutteth not off the liſt, as aforeſaid, ſhall forfeit to the King for every ſuch piece of defective cloth 6 s. 8 d.

* XXX. **Stat.** 4 *E.* 4. 1. Broad-cloth made fit for ſale ſhall contain in length 24 yards with a man's Inch to be added to every

ry yard, and is to be meaſured by the creſt; and in breadth 2 yard, or 7 quarters at leaſt within the liſts: and if the cloth be longer the buyer ſhall pay for it (over and beſides) according to the rate.

XXXI. Streats made fit for ſale ſhall contain twelve yards and three ſuch inches in length, and one yard in breadth, within the liſts.

XXXII. Kerſeys made fit for ſale ſhall contain 18 yards and 3 inches in length, and in breadth a yard and a nail, or (at leaſt) a yard within the liſts.

XXXIII. Every half Cloth, Streat and Kerſey ſhall keep his meaſure in length and breadth according to the rate of the whole cloth reſpectively.

XXXIV. None ſhall put into cloth to be ſold any lambs wooll, flocks or cork, in pain to forfeit 20 s. for every cloth or half, cloth ſo mingled, to be divided betwixt the King and the proſecutor.

XXXV. Provided that cloth may be made of lamb's wool onely, and cork may be uſed in dying upon woaded wool, and of cloth made onely of woaded wooll, the ſaid wool and cloth being perfectly boyled and maddered: cork alſo may be put upon cloth perfectly boyled and maddered.

XXXVI. Every piece of cloth ſhall be perfectly wrought throughout the whole piece according to the ſame order of workmanſhip.

XXXVII. If any difference in weaving, fulling, knotting or barking, or any raw, skaw, cockle or flag happen therein, a ſeal of lead ſhall be hanged on the loweſt part of the edge thereof, to the end the buyer may take notice thereof.

XXXVIII. Clothes, Streats and Kerſeys of a true length, breadth and making ſhall be ſealed at the end thereof with a double print of lead.

XXXIX. Clothes, Streats, and Kerſeys not containing the due length and breadth, or not perfectly made, and two parts thereof perfectly made, keeping their ſaid length and breadth, every ſuch peice ſhall be ſealed in form aforeſaid.

XL. If a Cloth, Streat, or Kerſey be longer then an half cloth and ſhorter then an whole one, and yet have the true breadth, and be perfectly wrought, it ſhall have a ſeal differing from the other two aboveſaid, and fixed to the end thereof.

XLI. A Cloth, Streat or Kerſey leſs then an half Cloth ſhall be ſealed at the end thereof by a ſeal differing from all the reſt.

XLII.

XLII. All the ſaid ſeals are to be ordained by the Lord Treaſurer for the time being, who hath power to make as many Keepers of them as he ſhall think neceſſary, ſo as one of them be Aliens.

XLIII. Theſe Keepers ſhall yearly render an account of the revenue of their Offices without paying any fees for the ſame, and ſhall alſo be rewarded by the Treaſurer and Barons according to their labour and diligence.

XLIV. If any of the ſaid Keepers be found faulty or corrupt in his Office, refuſe to ſeal, extort more then his due fees, or refuſe to ſhew his Commiſſion upon ſealing or meaſuring any ſuch cloth, he ſhall forfeit twenty ſhillings to be divided betwixt the King and the proſecutor, and to be recovered in the Exchequer.

XLV. This Statute and others heretofore made and in force, which concern the premiſſes, ſhall be inſerted in every ſuch Keeper or *Aulnagers'* Commiſſion.

XLVI. The Clothier ſhall pay to his work-folks their wages in ready mony, and not in wares as formerly, in pain to forfeit to ſuch work-folks treble dammages, and ſhall deliver them wooll according to due weight, in pain to forfeit 6 d. for every ſuch default.

XLVII. Every Carder, Spinſter, Weaver, Fuller, Shearman and Dyer, ſhall duely perform their duty in their occupation, in pain to forfeit double dammages to the party grieved; and every Fuller in Fulling, Rowing or tazeling of Cloth, ſhall uſe tazels and not Cards, in pain to yield double dammages to the party grieved.

XLVIII. Every Juſtice of Peace, Conſtable of an Hundred, or Steward of a Leet out of Corporation, and in Corporations every Head-Officer or Officers where no Maſter is, and every Maſter ſhall hear and determine ſuch complants as well concerning the non-payment of the Labourer's wages as the dammages aforeſaid, for which ſaid dammages they ſhall alſo have power to commit the offender to priſon, until the party grieved be ſatisfied.

XLIX. The ſaid Juſtice and Officers have power at the inſtance of any other perſon to inqure after, and puniſh ſuch offenders by inflicting 3 s. 4 d. upon them, to be paid to the King or other Lord of the Liberty, where ſuch offence is committed.

L. No Cloth made in any other Region (except in *Wales*, *Ireland*, or taken at Sea without fraud) ſhall be brought into *England* to be ſold, in pain to forfeit the ſame.

LI. **Stat.** 7 *E.* 4. 2. The inhabitants of the hundreds of *Liſton*, *Taveſtock* and *Roxburgh* in *Devon*, may put flocks into their cloths,

cloths, notwithſtanding the Statute of *6 E.* 4. 1. *Vide ſuprà.*

* LII. **Stat.** *17 E.* 4. 3. No perſon, Denizon or Stranger, ſhall carry beyond Sea any Woollen Yarn or cloth not fulled, in pain to forfeit the value thereof, to be divided betwixt the King and the proſecutor.

LIII. **Stat.** *7 E.* 4. 5. Woolen clothes, half clothes, Streats and Kerſeys, being perfect in making and meaſure ſhall be ſealed with wax at both ends, except in *London* and *Briſtol*, which ſhall be ſealed with lead.

LIV. The Lord Treaſurer hath power to let to farm the Subſidy and Aulnage of clothes, and alſo the moiety of all forfeitures of clothes not duly ſealed, for which they ſhall be accomptable in the Exchequer.

* LV. **Stat.** *1 R.* 3. 4. Broad-cloth ſhall be fully watered before it be put to ſale, and every whole cloth, and alſo Broad-cloth being watered ready for ſale, ſhall contain in length 24 yards, each yard having a man's inch added thereunto to be meaſured by the creſt, and ſhall alſo contain in breadth two yards within the liſts.

LVI. Every half ſuch cloth ſhall contain in length 12 yards with inches, and to be meaſured by the creſt, as aforeſaid, and in breadth two yards within the liſts.

LVII. The half cloth ſhall not exceed 16 yards in pain of cutting the whole cloth in three pieces, and the half Cloth in two pieces; and to loſe for every whole Cloth 6 s. 8d. and for every half cloth 3 s. 4 d. not fully watered, or not keeping the ſaid meaſures.

LVIII. If a whole cloth or half cloth exceed theſe meaſures, the buyer ſhall pay for the exceſs: Howbeit the half cloth muſt not paſs 16 yards.

LIX. Streats ſhall contain in length 12 yards with inches, as aforeſaid, and in breadth one yard within the liſts, in pain to have each of them cut in two pieces, and beſides to forfeit for each of them 20 d.

LX. Kerſeys ſhall contain in length 18 yards with inches, as aforeſaid, and in breadth one yard and a nail at leaſt, in pain to have them cut, as aforeſaid, and to forfeit for each of them three ſhillings four pence.

LXI. The Lord Treaſurer ſhall appoint ſeals for cloth to be made, having the King's arms printed on the one ſide, and the arms, ſign or token of the City, Burrough or Town, or the name of the County where they are made, on the other ſide.

LXII. The Lord Treaſurer ſhall make none Aulnager, Sealer or

or Keeper of the ſeal, but him that is expert in cloth-working, and worth 100 l. at leaſt, and the officer ſo deputed ſhall ſell no cloth but ſuch as is made within the limts of his deputation, in pain to forfeit to the King for every whole cloth 5 marks, for an half cloth 33 s. 4 d. for a Streat 20 s. and for a Kerſey 10 s.

LXIII. None ſhall ſet or draw in length or breadth any cloth fully watered by tentoring or otherwiſe, in pain to forfeit the ſame.

LXIV. None ſhall ſet, caſt, or put upon cloth any flocks, chalk, or other deceitful thing, in pain of 40 s. for every cloth ſo uſed.

LXV. No Shear-man or other ſhall ſhear or cancel any cloth not fully watered, upon the like pain of 40 s. for every cloth.

LXVI. None ſhall convey any cloth beyond Sea, not fully watered, and after it is ſo watered, it ſhall not be ſet or drawn in length or breadth, in pain of forty ſhillings for every cloth ſo conveyed.

LXVII. None ſhall retail cloth before it be fully watered, and being ſo watered it ſhall not be ſet or drawn, as aforeſaid in pain that the ſeller ſhall forfeit the ſaid cloth, or the value thereof.

LXVIII. None ſhall keep in his houſe any tentor or other engine, whereby cloth may be drawn in length or breadth, in pain of 20 l. but tentors ſhall be ſet in open places, and uſed onely for the due ſtretching of cloth after it cometh from the Mill, and before it be rowen; And all head officers ſhall take care that cloth put upon tentors ſhall not be unduly drawn in length or breadth.

LXIX. No ſtranger ſhall buy any wool which ſhall paſs through the Straits of *Marroke*, ſorted, clacked, or barked, nor any wooll whereof any locks or refuſe ſhall be made, but ſuch as is clipped and purely wound without deceit and Merchantable, according to the growing of the Country, without ſuch ſorting, clacking or refuſe, as aforeſaid, in pain to forfeit ſuch wooll, and the double value thereof.

LXX. No Dier ſhall dy any cloth with Orchel or Cork, in pain of 40 s. neither ſhall any put to ſale any cloth ſo dyed, in pain to forfeit the ſame: Howbeit cork made within this Realm may be uſed in dying upon woolwards, ſo that the wool and cloth be perfectly boyled and maddered: alſo ſuch Engliſh cork may be Put upon cloth that is edrfectly boyled and maddered.

LXXI. Every Dyer ſhall dy both the cloth and the liſt with one and the ſame colour, in pain to forfeit the ſame.

LXXII. None ſhall put to ſale any cloth deceitfully dyed, in pain to forfeit the ſame, or the value thereof.

LXXIII. Faulty cloth ſhall be brought to the chief Officer of the

the place where it is ſeized, and ſhall be cut into three parts, whereof the ſeizor ſhall have one, another ſhall be by him caried into the Exchequer, and the third the ſaid Officer ſhall have for the uſe of the Commonalty.

LXXIV. All other forfeitures of this Act ſhall be divided betwixt the King and the proſecutor.

LXXV. The Statute ſhall not extend to cloth, called Ray, or joyned with Ray, Plonkets, Turkins, Celeſtrines, Packing whites, Veſſes, Cogware, Worſteds, Florences, Baſtards, Kendals, ſailing ware or Frize ware; The ſaid clothes being perfectly made, according to their nature and true making.

* LXXVI. **Stat.** 3 *H.* 7. 11. None ſhall tranſport any woollen before it be barbed, rowed and ſhorn, in pain to forfeit the value thereof, to be divided betwixt the King and the proſecutor; except Veſſes, Rayes, ſailing clothes, and others ſold at 40 *s.* or under.

LXXVII. **Stat.** 3 *H.* 8. 7. The Statute of 7 *E.* 4. 3. and 3 *H.* 7. 11. are confirmed; onely Veſſes, Rayes, ſailing clothes and others, not exceeding four marks the cloth, may be tranſported.

* LXXVIII. **Stat.** 5 *H.* 2. None ſhall make white Streats to ſell, but when they are raw ready to be toked, and being a yard and half a quarter broad, and 15 yards long, and except the maker ſet his ſpecial mark upon them, neither ſhall any uſe another's mark, in pain to forfeit the clothes otherwiſe made or marked, to be divided betwixt the King and the ſeizor.

* LXXIX. **Stat.** 5 *H* 8.3. White clothes at five marks and under may be conveyed beyond the Sea unbarbed, unſhorn and unrowed.

LXXX. None ſhall convey beyond Sea any ſuch clothes worth above five marks the piece unbarbed, unſhorn unrowed, in pain to forfeit the value thereof, to be divided betwixt the King and the proſecutor.

* LXXXI. **Stat.** 6 *H.* 8. 8. The Statute of 5 *H.* 8. 2. is made perpetual: and none ſhall make white or ruſſet Streats, which (being raw) ſhall not be of length and breadth, and marked, as by the ſaid Statute of 5 *H.* 8. 2. is ordained, and ſhall not weigh 14 pounds the piece at leaſt, in pain to forfeit the ſame, to be divided betwixt the King and the ſeizor.

* LXXXII. **Stat.** 6 *H.* 8. 9. The wooll delivered by the Clothier for Breaking, Kembing, Carding or Spinning, ſhall be by juſt weight of *Avoirdupoiz*, not exceeding above one quarter for the waſte in 12 pound of ſeimed wooll; and the Breaker, Kember, Carder

Carder and Spinner ſhall re-deliver to the Clothier the ſame wool, or wollen yarn by the ſame weight (the waſte thereof excepted) without concealing any part thereof, or putting any thing therein deceitfully, in pain to forfeit to the Lord of the Leet, where the work is done, for every ſuch default 12 d. upon proof thereof before the Head-officer there, calling to him fit perſons to prove the ſame.

LXXXIII. The Weaver ſhall put all the yarn delivered unto him into the web, or reſtore it, without putting any thing deceitfully thereinto, in pain of 3 s. 4 d.

LXXXIV. None ſhall buy any coloured wool or yarn of any Carder, Spinner or Weaver but in open Market, in pain to forfeit the ſame.

LXXXV. The Walker and Fuller ſhall duely work every Web without flocks or other deceit, and ſhall not row or work it on either ſide with Cards, in pain of 6 s. 8 d.

LXXXVI. None ſhall put to ſale any cloth (which being wet) ſhall ſhrink above one yard in length, and one quarter in breadth for the more part thereof, or Narrows or Streats after that rate, in pain of 6 s. 8 d. and to abate the buyer for ſuch defect.

LXXXVII. None, after he hath bought cloth, ſhall draw or ſtrain it in length or breadth with tentor, wrinch or otherwiſe in pain of 5 l.

LXXXVIII. Provided, that ſuch buyer (having for proof-ſake fully wet cloth) may draw and ſtrein them for evening them onely, ſo that he exceed not one yard of the length it had, when it was fully wet.

LXXXIX. None ſhall put upon clothes any flocks or other deceit, in pain of 20 s.

XC. The buyer and ſeller of clothes ſhall meaſure them by yard and inch of the Rule, and not otherwiſe, in pain of 5 l.

XCI. The forfeitures aforeſaid ſhall be divided betwixt the King and the proſecutor.

XCII. This Act ſhall not extend to *Kendals*, *Carpnel* Whites, *Toſtocks* made in *Devon*, Clothes made in *Cornwall*, Cottons or Frize made in *Wales*, *Lancaſhire* or *Cheſhire*.

XCIII. **Stat.** 14 & 15 *H.* 8. 11. The Statute of 6 *H.* 8. 9. Touching the ſhrinking of clothes ſhall not extend to Veſſes or ſet clothes, when they exceed not the value of 40 s. the cloth.

* XCIV. **Stat.** 25 *H.* 8. 18. None ſhall make cloth in *Worceſter-ſhire*, but onely ſuch as dwell in *Worceſter*, *Eveſham*, *Droitwich*, *Kidderminſter* and *Broiniſgrave*, in pain to forfeit for every cloth elſwhere made 40 s.

XCV. This Act ſhall not extend to clothes made for any perſon's own uſe, their children or ſervants.

* XCVI. Stat. 27 H. 8. 12. Every Clothier ſhall cauſe his mark to be woven in his Clothes and Kerſeys, and ſhall ſet a ſeal of lead thereunto, ſhewing the true length thereof, as they will hold being wet; and in caſe of defect, the Clothier ſhall forfeit the double value thereof to the buyer.

XCVII. If the Clothier put any Clothes to ſale before they be ſealed by the Aulnager, or order them not, as aforeſaid, they ſhall be forfeited, and divided betwixt the King and the proſecutor.

XCVIII. Broad cloth ſhall hold ſeven quarters in breadth, betwix the liſts, being proved by the water, and Kerſeys one yard, in pain of 3 s. 4 d. for that, and 20 d. for this, to be divided betwixt the King and Proſecutor.

XCIX. This Statute ſhall not extend to ſell clothes not exceeding ſeven Nobles the cloth, nor to *Taveſtock*, Weſtern Dozens, Frizes, *Kendal's* Cottons, nor courſe clothes made for limings.

C. The Aulnager ſhall not ſeal clothes, until they be ſealed by the aforeſaid ſeal of content, in pain to loſe his Office, neither ſhall the buyer afterward alter them by ſhretching, unleſs he after reduce them to the right content again, in pain to forfeit the double value thereof, to be divided as aforeſaid.

* CI. Stat. 27 H. 8. 13. Every white woollen cloth ſold for 4 l. and under, and every coloured cloth ſold for 3. l. and under may be conveyed beyond Sea unbarbed, unſhorn and unrowed; but none ſhall convey ſuch clothes beyond Sea above theſe prices, in pain to forfeit the value thereof, to be divided betwixt the King and the proſecutor.

* CII. Stat. 33 H. 8. 3. Welſh clothes called Whites, Ruſſets and Kennets, brought into Fairs or Markets to be ſold, ſhall be foulded in plights or cuttles, and not hard rolled together, in pain to forfeit the ſame, to be divided betwixt the King and the proſecutor.

* CIII. Stat. 33 H. 8. 19. None ſhall ſhip any white Woollen cloth above the value of 4 l. not coloured above 3. l. unrowed, unbarbed or unſhorn, with an intent to convey it beyond Sea, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the proſecutor.

* CIV. Stat. 3 & 4 E. 6. 2. Every Clothier ſhall ſet his ſeal of lead to his cloth, declaring the juſt length thereof, to be tried by the water.

CV. None ſhall ſtretch any cloth above a yard and an half in

in length, and a quarter in bredth, in pain of 40 s.

CVI. None upon the ſaid pain ſhall put to ſale any cloth which (being wet) ſhall ſhrink above a yard and a quarter in length, or a quarter in breadth: neither ſhall Streats or Kerſeys be ſtretched above a yard in length, and half a quarter in bredth, in pain of 20 s.

CVII. None ſhall put to ſale any cloth, Narrow, Streat or Kerſey, the pieces whereof (being wet) ſhall ſhrink more then after the ſame rates, in pain of 20 s.

CVIII. None ſhall dy any cloth before it be perfectly boiled, grieved, or maddered upon the Woad, and well ſhot with good cork or orchal, in pain of 20 s.

CIX. None ſhall dy any wooll to to be converted into cloth, hats or caps, before it be perfectly woaded, boyled, and maddered, in pain to forfeit for every ſuch cloth, or ſo much wool as makes a cloth 40 s. neither ſhall any dy with braſil to make a falſe colour in cloth, wool, hats or caps, in pain of 20 s.

CX. None ſhall put upon cloth any flocks, chalk, flour, ſtarch, or other deceivable thing, in pain of 40 s.

CXI. None ſhall uſe any iron cards or pickards in rowing of cloth; in pain to forfeit the ſame, and 20 s. beſides.

CXII. None ſhall ſell any cloth by other meaſure then yard and inch, according to the Statute of *6 H. 8. 9.* in pain to forfeit for every yard otherwiſe meaſured *6 s. 8 d.*

CXIII. None ſhall put to ſale within this Realm any cloth preſſed, in pain to forfeit the ſame, or the value there of.

CXIV. Juſtices of Peace and Head-officers ſhall in their ſeveral Precincts appoint and ſwear Overſeers, for the due obſerving of this Statute concerning the well ordering of cloth, who ſhall have power to make ſearch accordingly.

CXV. The forfeitures for defaults in cloth (mentioned in that Statute) ſhall be recovered in any Court of Record, and ſhall be divided betwixt the King and the Overſeer that diſcovers them: but in caſe the Overſeers will not ſue for them within half a year, then may any other within another half year take the ſuit, and ſhall have the overſeers moiety.

CXVI. No Overſeer duely choſen ſhall refuſe to execute that Office, in pain of 40 s. and ſhall remain in the cuſtody of the Sheriff, until he pay it or give ſecurity for it; and this ſhall be divided betwixt the King and the Juſtices of Peace, or Head-officers that choſe him.

CXVII. The Overſeers or two of them, at leaſt, ſhall once every Quarter make due ſearch for the true executing of this Sta-

tute, in pain of 10 l. to be divided betwixt the King and the proſecutor.

CXVIII. None ſhall interrupt the Overſeers in the due execution of their office, in pain of 20 l. to be divided betwixt the King and the Overſeers ſo interrupted.

CXIX. None ſhall take advantage of the forfeitures given by this Act, unleſs the ſuit for them be commenced within one year after they accrue.

CXX. Every Clothier ſhall cauſe the letter *E* crowned to be wrought in every cloth, in pain of 20 s. to be divided betwixt the King and the proſecutor.

* CXXI. *Stat. 5 & 6 E. 6. 6.* Every broad cloth made in *Kent*, *Suſſex* or *Reading* or of like making with them (being thorow wet) ſhall contain in length betwixt 28 and 30 yards uſuall meaſure, and in breadth ſeven quarters throughout within the liſts, and being well ſcoured, thicked, milled and dried, ſhall weigh 90 pounds at leaſt.

CXXII. Every white cloth made in *Worceſter*, *Coventry*, or elſewhere of like making (being wet) ſhall contain in length betwixt 29 and 30 yards with inches of the Standard, and ſeven quarters throughout in breadth betwixt the liſts, and being ordered as aforeſaid, ſhall weigh 84 pounds at leaſt: and every coloured cloth there ſhall contain like length and breadth, and ſhall weigh 80 pounds at leaſt.

CXXIII. White ſhort Worceſters ſhall contain in length (being wet) betwixt 23 and 25 yards with inches as aforeſaid, and in breadth, as aforeſaid, and ſhall weigh 60 pounds at leaſt.

CXXIV. Coloured long clothes made in *Suffolk*, *Norfolk*, *Eſſex*, and elſewhere of like ſort, ſhall contain in length (being wet) betwixt 20 and 30 yards and inches, and in breadth 7 quarters, and ſhall weigh 80 pounds at leaſt: and coloured ſhort clothes there and elſewhere ſhall contain, in length betwixt 23 and 25 yards, and the breadth aforeſaid, and ſhall weigh 64 pounds at leaſt: Alſo coloured or white Handy-warps there and elſewhere ſhall be of like breadth, and every yard thereof ſhall weigh three pounds.

CXXV. All Whites and reds in *Wilts*, *Gloceſter-ſhire*, and *Somerſet*, and elſewhere of like making (being wet) ſhall contain in length betwixt 26 and 28 yards, and ſeven quarters in breadth, and weigh (being white) 64 pound: but coloured 60 pounds at leaſt, alſo Plunkets, Azures, Blues, and other coloured clothes made there, and elſewhere, ſhall contain in length betwixt 25 and 28 yards, be of the ſame breadth, and ſhall weigh 88 pounds.

CXXVI.

CXXVI. Ordinary Kerſeys ſhall contain in length betwixt 17 and 18 yards, and ſhall weigh 20 pounds, and ſorting Kerſeys ſhall have equal length, but ſhall weigh 13 pounds.

CXXVII. The length of *Devonſhire* Kerſeys called *Douſeins* ſhall be betwixt 12 and 13 yards, and their weight 14 pounds.

CXXVIII. The length of Broad clothes called *Tauntons*, *Bridgwaters*, and the like, ſhall be betwixt 12 and 13 yards, and their breadth 7 quarters: And every narrow cloth made there or elſewhere of like ſort, ſhall contain in length betwixt 24 and 25 yards, and in breadth one yard, and ſhall weigh 34 yards.

CXXIX. Check Kerſeys and Streats ſhall contain in length betwixt 17 and 18 yards, and in breadth one yard, and ſhall weigh 24 pounds.

CXXX. Frizes in *Wales* and elſewhere of like making, ready for ſale and wet, ſhall contain 36 yards at moſt in length, and three quarters in breadth, and ſhall weigh 48 pounds, and every half piece after the ſame rate.

CXXXI. Northern Clothes ſhall be betwixt 23 and 25 yards long, and 7 quarters broad, and ſhall weigh 6 pounds.

CXXXII. Douſeins ſhall be betwixt twelve and thirteen yards long, and ſeven quarters broad, and ſhall weigh thirty three pounds.

CXXXIII. Pennyſtones and Foreſt Whites ſhall be betwixt 12 and 13 yards long, and ſix quarters and an half broad, and ſhall weigh 28 pounds.

CXXXIV. *Manchester*, *Lancaſhire* and *Cheſhire* Cottons ſhall be 22 yards long, and three quarters broad, and ſhall weigh 30 pounds.

CXXXV. *Manchester* Ruggs or Frizes ſhall be 36 yards long, three quarters broad, ſhall not be ſtretched above a nail, and ſhall weigh 48 pounds.

CXXXVI. If any put to ſale any of the broad clothes aboveſaid not of the due length, breadth or weight aboveſaid, they ſhall forfeit for every cloth defective or exceeding in length or breadth 40 s. and for every pound it wants (not exceeding four) 2 s. the pound, and if it want more then four, they ſhall forfeit 40 s.

CXXXVII. Provided, if broad cloth exceed the due length by reaſon of the fineneſs or ſtuffy making thereof, the maker ſhall not incur any penalty thereby.

CXXXVIII. If any put to ſale any of the other clothes above ſpecified not of due length, breadth and weight, as aforeſaid, they ſhall forfeit 20 s.

CXXXIX. None ſhall put any flocks or yarn made of ſlamb's

wool into any of the aboveſaid clothes, in pain to forfeit the ſame, or the value thereof.

CXL. None ſhall put any cloth or Kerſey to ſale before they have paid the Aulnager his due fee, in pain of 20 s.

CXLI. No cloth ſhall be tranſported before the ſeals of the Aulnager and owner be put thereunto, in pain to forfeit the ſame or the value thereof.

☞ CXLII. No retailer of cloth ſhall put it to ſeal before he have tried it by water, meaſure and weight, and ſhall preſent the defect thereof to an Head-officer, or two next Juſtices of Peace, in pain to forfeit the double value thereof: And the cloth found defective ſhall be divided into three parts; whereof the King ſhall have one, the proſecutor another, and the Head-officer or two Juſtices the third.

CXLIII. The Clothier ſhall repay to the buyer of faulty cloth his money again, or otherwiſe ſatisfie him for the ſame, in pain to forfeit to the party grieved the double value thereof.

CXLIV. None ſhall ſtretch cloth above a yard in length and an half quarter in breadth, in pain of 5 l.

CXLV. None ſhall uſe with his tentor any wrinch, rope, ring, or other engine to ſtrain or ſtretch cloth in pain of 20 l.

CXLVI. Two or more ſearchers of cloth ſhall be appointed in every place where cloth is made, who being ſworn ſhall have power to enter into all houſes where cloth is made or wrought, to make ſearch whether the clothes are well dreſſed and preſſed with the cold preſs: and the moiety of all forfeitures therupon accruing ſhall the King have, and the other ſhall be given to the uſe of the Commonalty or Town, where the offence or default is committed or made.

CXLVII. The party with whom ſuch defective cloth is found ſhall recover dammages againſt the party that was the cauſe thereof by Action of debt, &c.

CXLVIII. The Head-officer of every Town ſhall prepare a ſeal of lead having the Arms and name of the Town printed thereupon, which ſeal the ſearchers ſhall fix to every cloth well made, and ſhall have for every ſeal ſo fixed 2 d.

CXLIX. If the ſearchers finde any faulty coloured cloth, they ſhall at each end fix another ſeal of lead having the letter F. printed thereupon, and ſhall alſo in the liſt (juſt againſt the fault) ſet another mark of an inch compaſs, to the end the buyer may readily diſcover where the fault is.

CL. If the ſearchers ſet the Town ſeal to cloth, not ſufficiently dreſſed, the Corporations ſhall forfeit the value thereof.

XLI.

CLI. If the ſearchers ſet the Town-ſeal to faulty cloth, or do not ſet the ſeal F. above expreſſed thereunto, the Corporation ſhall forfeit 5 l.

CLII. No retailer of cloth ſhall put it to ſale, unleſs the ſaid Town-ſeal be fixed thereunto, and ſhall keep it fixed at one end thereof untill it be all ſold, in pain to forfeit the value of ſuch cloth.

CLIII. The Corporation that appoints not ſuch ſearchers ſhall forfeit 10 pounds. And the ſearcher that refuſeth to execute the Office ſhall forfeit 5 pounds, to be divided betwixt the King and the Corporation, and ſhall be in ward, until he pay or give ſecurity for it.

CLIV. None ſhall preſs any cloth with the hot preſs, nor in any other deceivable manner, but onely with the cold preſs, in pain to forfeit the ſame, or the value thereof.

CLV. If any (but perſons authorized by this Act) counterfeit, ſet to, or take away from, any clothes any of the ſeals appointed by this Act, he ſhall forfeit for the firſt offence (being thereof convict by 12 men, two witneſſes, or his own confeſſion) 10 l. and for the ſecond ſhall ſtand upon the Pillory, and forfeit all his goods and chattells to the King.

CLVI. Euery Article in any Statute heretofore made concerning the making, dying, preſſing, ſearching or ſealing any of the clothes above in this Act mentioned, and being repugnant or contrariant to any Article of this Statue ſhall be void.

CLVII. The forfeitures aboveſaid (not otherwiſe appointed) ſhall be divided betwixt the King and the proſecutor.

CLVIII. Povided, it ſhall not be lawful to boil wooll (to be converted into cloth) with gauls, rinds, bark or ſaw-duſt, in pain to forfeit the ſame or the value thereof, to be recovered and had, as aforeſaid.

CLIX. This Act ſhall not extendt to *Devonſhire*-clothes called *Taveſtocks*.

CLX. Stat. 5 & 6 *E.* 6. 8. No perſon ſhall weave or make, or put to weaving or making of broad woollen cloth, unleſs he hath been ſeven years Apprentice to that Art.

CLXI. Stat. 1 *M. Parl.* 2. 7. Any perſon may make broad cloth, and put them to weaving, walking, fulling, dying and ſhearing without any impediment, ſo that the cloth be duly made according to the Statute of 5 & 6 *E.* 6. 6. notwithſtanding the Statute of 5 & 6 *E.* 6. 8. or any other Statute of Cloth-making made to the contrary.

* CLXII. Stat. 2 & 3 *P. M.* 11. No Clothier in any Corpo-

ration or Market town ſhall keep in his houſe above one loom or let any loom, or houſe and loom together, to make profit thereby, in pain to forfeit for every week he ſo keepeth or letteth them, 20 s.

CLXIII. No Weaver in the ſaid places ſhall keep above two looms in his houſe to make profit thereof, in pain to forfeit for every week he keeps more, 20 s.

CLXIV. A Weaver (being no Cloth-maker) ſhall not keep any Tucking-mill, nor uſe the art of a Tucker, Fuller or dyer, in pain of 20 s. for every week.

CLXV. No Tucker or Fuller ſhall have in his houſe any loom to make profit thereof, in pain of 20 s. for every week.

CLXVI. None ſhall make any broad white woollen clothes but in a Corporation, Market town, or other place where they have been made ten years before the making of this Act, in pain of 5 l. for every cloth otherwhere made.

CLXVII. No Weaver in a Corporation or Market-Town ſhall have above two Apprentices at one time, in pain of 10 l.

CLXVIII. None ſhall be a Weaver, but he who hath been ſeven years an Apprentice in that Art, in pain of 20 l.

CLXIX. This Act ſhall not extend to the Counties of *York*, *Cumberland*, *Northumberland* nor *Weſtmerland*.

* CLXX. **Stat.** 2 & 3 *P. M.* 12. No clothes called *Bridgwater*, *Taunton* and *Chard* clothes, and made in the County of *Somerſet*, ſhall be ſold there, before they be viewed, ſearched and ſealed in *Bridgwater*, *Taunton* or *Chard*, according to the Statute of 5 & 6 *E. 6. 6.* in pain to forfeit the cloth ſo ſold, or the value thereof, to be divided betwixt the King and the proſecutor.

* CLXXI. **Stat.** 4 & 5 *P. M.* 5. White *Worceſters* and all others of like making being well ſcoured, thicked, milled and fully dried, ſhall weigh 75 pounds.

CLXXII. White clothes made in the Counties of *Wilts*, *Gloceſter and Somerſet*, and all others of like making, ordered as aforeſaid, ſhall weigh 61 pounds.

CLXXIII. Broad clothes made in *Kent*, *Suſſex* and *Reading*, and all others of like making, ordered as abforeſaid, ſhall weigh 86 pounds.

CLXXIV. Courſe ſhort clothes made in *Suffolk*, *Norfolk*, *Kent* and *Eſſex*, and others of like ſort, ſhall contain at the water 6 quarters and an half in breadth.

CLXXV. Handy-warpes, ordered as aforeſaid, ſhall contain the breadth ordained by the Statute of 5 & 6 *E. 6. 6.* and ſhall weigh two pounds and an half.

CLXXVI.

CLXXVI. None ſhall add handy-warpliſts to their clothes (except in *Worceſter*, and when the warp thereof be ſpun upon the rock or diſtaff) in pain to forfeit the cloth, or the value thereof.

CLXXVII. None in the weſt-riding of *Yorkſhire* ſhall make any broad clothes, Pewks, Tawnies, Violets or Greens, except the wool thereof, being firſt converted into yarn, be firſt dyed blue, of the value of two pence the pound, in pain to forfeit ſuch cloth, or the value thereof.

CLXXVIII. Ordinary Kerſeys ſhall contain in length (in the water) betwixt 16 and 17 yards (yard and inch) and being ordered, as aforeſaid, ſhall weigh 19 pounds the piece. And ſorting Kerſeys (ſo ordered) ſhall weigh 22 pounds.

CLXXIX. *Devonſhire* Kerſeys (ordered as aforeſaid) ſhall weigh after the rate of one pound the yard.

CLXXX. Welſh Cottons (in the water) ſhall contain 3 quarters of a yard in breadth, and ſhall weigh one pound and an half the goad, and being well cottoned ſhall weigh one pound at leaſt.

CLXXXI. No retailer of Cottons ſhall dreſs it himſelf, or by any other, ſave onely by a proper dreſſer thereof, in pain to forfeit for every piece otherwiſe dreſſed 6 s. 8 d.

CLXXXII. *Mancheſter*, *Lancaſhire* and *Cheſhire* Cottens, and *Mancheſter* Rugs and Frizes may be divided into two half pieces, and ſhall contain in length and breadth, as by the ſaid Statute of 5 & 6 *E.* 6. is ordained for the whole piece.

CLXXXIII. If any cloth or Kerſie exceed the length preſcribed by this or the ſaid Statute of *E.* 6. then every yard ſo exceeding ſhall weigh according to the rate of the due length thereof, in pain to forfet for every yard not weighing after that rate 5 s. and if any ſuch cloth or kerſie lack any of the due length, the maker ſhall forfeit for every pound wanting more then 4 pounds, 5 s. and for every pound under 4 pounds, 2 s.

CLXXXIV. If any cloth or kerſie prove defective or ill wrought, the maker thereof ſhall fix to each end thereof a ſeal of lead engraven with this word *Faulty*, in pain to forfeit ſuch cloth and kerſie, or the value thereof.

CXXXV. If any by himſelf or any other counterfeit, ſet to, or take away any ſeal appointed by this or the ſaid Statute of *E* 6. he ſhall incurr ſuch penalties as by the ſaid Statute of *E.* 6. are limited.

CLXXXVI. The Burrough or Corporation-ſeal ſhall be ſet to clothes, *&c.* being well made there, which cloth ſo ſealed ſhall not

not to be afterwards ſearched by the ſearcher of any other Corporation or Burrough.

CLXXXVII. Clothes and Kerſeys made out of Corporations ſhall be ſealed in the Town corporate.

CLXXXVIII. If any ſearcher or ſealer ſet the Corporation-ſeal to any cloth, *&c.* defective in length, weight or breadth appointed by this, or that other Statute of *E.* 6. the Corporation ſhall forfeit the value thereof.

CLXXXIX. The ſearchers and ſealers may in the day-time enter into any houſe to ſearch and try cloth, *&c.* and may ſeiſe clothes made of other colours, then by the ſaid Statute of *E.* 6, is appointed (Friers-gray, Crane-colour, Purple, and old Medley colours, uſed to be made 20 years laſt paſt, onely excepted.)

CXC. None ſhall deny or withſtand the ſearcher or ſealer, in pain of 10 pounds.

CXCI. No ſearcher or ſealer ſhall in any Fair or Market ſearch any cloth, *&c.* which hath a Corporation-ſeal affixed thereunto.

CXCII. Every clauſe in the ſaid Statute of *E.* 6. not repugnant to this Act is confirmed.

CXCIII. None ſhall incur any penalty or forfeiture of any offence limited by that Act, which is mitigated or otherwiſe appointed by this.

CXCIV. Every Clothier ſhall cauſe the letter *M.* crowned to be wrought in each cloth, in pain to forfeit 20 s. for every cloth not ſo marked.

CXCV. None ſhall weave or make, or put to weaving or making any cloth or kerſie, unleſs he hath been an Apprentice to, or exerciſed that Art 7 years before, in pain to forfeit it or the value thereof.

CXCVI. The penalties and forfeitures of this and the ſaid Act of *E.* 6. (not otherwiſe appointed) ſhall be divided betwixt the King and the ſeizor (where ſeizure may be made) or otherwiſe betwixt the King and the proſecutor,

* CXCVII. *Stat.* 8 *El.* 6. For every nine clothes unwrought, tranſported by licence, one ſhall be carried over well wrought, in pain to forfeit for every 9 clothes otherwiſe tranſported 10 l. and the tenth cloth ſhall be none of the clothes licenced.

CXCVIII. No *Kentiſh* or *Suffolk* cloth ſhall be tranſported unwrought by any licence, in pain to forfeit for every cloth ſo tranſported 40 s. and no licence ſhall extend to any ſuch cloth.

CXCIX.

CXCIX. The ſaid forfeitures ſhall be divided betwixt the King and the Maſter and Wardens of Clothworkers for the relief of the poor of that Company.

* CC. Stat. 8 *El.* 7. He that uſeth the trade of buying of Frizes, Cottons, or Plains ſhall not exerciſe the Art of Frizing, or Cottoning, in pain to forfeit for every piece ſo uſed 6 s. 8 d.

CCI. Thoſe that uſe the trade of buying Welſh cloth or linings ſhall pay to their workmen ready money, in pain to loſe their Freedome.

* CCII. Stat. 8 *Ed.* 12. None ſhall put to ſale in *Lancaſhire*, or carry out of that County any cloth, Cotton, Frize, or Rug, made there before the maker ſhall have fixed his ſeal thereunto; and the Aulnager the Queens, whereof the makers ſhall have on the one ſide his mark, and on the other ſide the length of the piece, being wet; and the Queen's ſhall have a Portcullis crowned on the one ſide, and the weight of the piece on the other ſide, in pain to forfeit ſuch cloth, *&c.* to be divided betwixt the Queen and the proſecutor.

CCIII. In *Manchester*, *Rachdale*, *Bolton*, *Blackmore* and *Berry*, the Aulnager may appoint Deputies, and neither the Aulnager nor they ſhall ſeal any cloth, *&c.* before they be weighed, in pain to forfeit 20 s. for every pack, to be divided betwixt the Queen and the proſecutor.

CCIV. The Aulnagers fee for weighing of a packet of ſuch cloth, *&c.* is three pence and for any quantity leſs then a pack, an half penny the peice.

CCV. Every Cotten well wrought and fully dried ſhall weigh 21 pound, and ſhall contain in length 21 or 20 Goads, and in breadth 3 quarters, or within one nail thereof; alſo Frizes and Rugs being well thicked and dryed ſhall weigh 44 l. the peice, and ſhall contain in length betwixt 35 & 37 yards, and in breadth 3 quarters or within one nail thereof, and ſhall not be ſtrained upon tentors above one nail in breadth; and if the ſaid clothes exceed the ſaid length, every goad or yard ſo exceeding ſhall weigh according to the ſame rate in pain to forfeit for every goad or yard not ſo weighing 12 d.

CCVI. If any of the ſaid Cottons, Frizes, or Rugs want of the ſaid weights, the party ſelling them ſhall forfeit for every pound lacking under three pounds twelve pence, and for every pound above three pounds five ſhillings.

CCVII. All Acts heretofore made for the ſealing and making of Cottons, Frizes and Rugs ſhall be void.

CCVIII.

CCVIII. The Charters and Liberties of Towns Corporate in *Lancaſhire* are ſaved.

☞ CCIX. **Stat.** 23 *El.* 9. Two Juſtices of Peace of the County, or the Head-officer of a Corporation ſhall command Logwood (which ſome deceitfully uſe for dying of cloth) to be ſeiſed and openly burnt, and the Dyer that uſeth it ſhall forfeit the value of the cloth, wool, or other thing dyed therewith, to be divided betwixt the Queen and the proſecutor.

CCX. Nothing of the nature of cloth ſhall be maddered for a black, except it be firſt grounded with woad onely, or with woad and a nele, *alias* blue *Inde*, unleſs the madder be put in with ſtomack or galls; and who ſo doth otherwiſe ſhall forfeit the value of the thing ſo dyed, to be divided betwixt the Queen and the proſecutor, and the offendor is to be impriſoned, untill he pay it.

CCXI. Provided, it ſhall be lawfull to dye all manner of gall black, ſtomack black, *alias* plain black, wherein no madder ſhall be uſed.

CCXII. The Dyer ſhall fix a ſeal of lead to the cloth, *&c.* which he dyeth, with the letter M. to ſhew that it is maddered, and woaded, in pain to forfeit for every yard thereof 3 *s.* 4 *d.* and the ſeller thereof ſhall make it known, that it is not woaded, in pain to forfeit the double value thereof, to be divided betwixt the Queen and the Proſecutor.

CCXIII. **Stat.** 27 *El.* 17. None ſhall be hereafter charged by the Statute of 5. & 6 *E.* 6. 6. nor of 4. and 5 *P. M.* for want of the breadth of ſeven quarters in clothes made in the Counties of *Gloceſter*, *Wilts*, *Somerſet* or *Oxon*, or others of like ſort, ſo that they contain in breadth (being fully wet) 6 quarters and an half within the liſts unwrought and liſted: but in caſe they want that breadth the makers thereof ſhall be chargeable with the penalties impoſed by thoſe Statutes for want of 7 quarters breadth.

CCXIV. If narrow-liſted whites do not weigh 61 pounds, and broad-liſted whites 63 pounds, being well dreſſed and dryed, the clothier ſhall incur double ſuch penalties for every pound wanting, as by the ſaid Statute of 4. & 5 *P. M.* 5. are ordained.

CCXV. **Stat.** 27 *El.* 18. The branch of the Statute of 5. & 6 *E.* 6. 6. which prohibiteth putting of hair, flocks, or yarn made of lambs wooll into any cloth or frize, having regard unto the ſaid clothes called plain white ſtraits, and pinned white ſtraits, ſhall be repealed.

CCXVI. The Inhabitants of *Devon* and *Cornwall* may weave and make the ſaid clothes, and uſe therein hair, flocks, and lambs wool, and keep three loomes in their houſes, and make ſuch clothes

clothes of ſuch length, breadth and weight, as the Merchant ſhall like, notwithſtanding the ſaid Statute of *E.* 6.

CCXVII. Provided, that no piece of ſuch cloth ſhall weigh above 12 pounds, nor be above 14 yards long, or one yard broad, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the Proſecutor.

CCXVIII. Stat. 35 *El.* 9. None ſhall be hereafter charged by the Statute of 5. & 6 *E.* 6. 6. for want of the breadth of ſeven quarters in broad Plunkets, Azures, Blues, and other coloured clothes made in the County of *Wilts*, *Gloceſter*, and *Somerſet*, or elſewhere; ſo that (being fully wet) they hold five quarters and an half within the liſts unwrought and liſted: but in caſe they want that breadth, the makers thereof ſhall incur ſuch penalties, as by the ſaid Statute of *E.* 6. are appointed for want of ſeven quarters breadth.

CCXIX. Howbeit, if the ſaid clothes well dreſſed and dried do not weigh 68 pounds, the Clothier offending therein ſhall incur the double penalties of the Statute of *E.* 6. for want of weight.

* CCXX. Stat. 35 *El.* 10. Every piece of *Devonſhire* kerſie or Dozen (as it comes from the Weavers loom) ſhall weigh in the open market 15 pounds and upwards; and every piece of Rug, and waſh kerſie made of wool (as it comes from the Sheep back, and from the Weavers loom) ſhall weigh 17 pounds at leaſt, and ſhall contain in length betwixt 15 and 16 yards (yard and inch of the Rule.)

CCXXI. The Weaver that weaves or makes any of the ſaid clothes of leſs weight or length, ſhall forfeit for every quarter of a pound or quarter of a yard wanting 12 pence. And they ſhall be ſewantly woven throughout of well and like ſorted yarn, except the liſts.

CCXXII. The Weaver ſhall weave in his mark at one end of the Kerſey of ſome coloured yarn, and alſo at each end purrel, and ſhall not deſceitfully mingle his yarn in pain of 10 s.

CCXXIII. None ſhall put to ſale any ſuch raw Kerſies, before they be viewed, weighed and marked, in pain of 10 s. for every cloth, to be divided betwixt the King and the Head-officer where the offence is committed.

CCXXIV. Searchers and ſealers of ſuch Kerſies ſhall be yearly appointed by the Head-officer of the place where they are made, who ſhall be ſworn, and have power to enter into any houſe (in the day-time) to make ſearch accordingly, and ſhall have a farthing for every kerſie they mark.

CCXXV. If the ſearchers and ſealers be not yearly appointed

or

or do neglect their duties, or offend in their office, the head-officer ſhall forfeit for every ſuch offence 20 s. and for every marketday there are not two or one ſearcher at leaſt 40 s.

CCXXVI. No Kerſey ſhall be ſold or dreſſed, before it be tried and marked, in pain to forfeit the ſame.

CCXXVII. None ſhall diminiſh the length of any ſuch kerſey, in pain of twenty ſhillings.

CCXXVIII. The forfeitures aforeſaid (not before limited) ſhall be divided betwixt the King and the proſecutor.

☞ CCXXIX. Stat. 39 *El.* 11. A Juſtice of Peace of the county or Head officer of a corporation (being alſo a Juſtice of Peace there (have power to call before them and examine the ſervants of perſons ſuſpected to uſe Log-wood in Dying, and (if they ſhall find cauſe) to bind over to the next quarter-ſeſſions both the evidence and party offending, and upon the Delinquents refuſal to be bound, ſhall commit him to priſon till he find ſureties: they ſhall alſo certifie in at the ſame ſeſſion the examinations by them taken, where, if the party offending be convicted, he ſhall ſuffer the pillory and forfeit 20 l. to be divided betwixt the Queen and the proſecutor.

* CCXXX. Stat. 39 *El.* 14. No cards for Wooll ſhall be brought into this Realme, or *Wales*, to be ſold, in pain to forfeit them, or the value thereof, to be divided betwixt the Queen and the proſecutor.

CCXXXI. Stat. 39 *El.* 20. None ſhall ſtretch or ſtrain any clothes made on the North-ſide of *Trent* in pain of 5 l. nor uſe any engine to that purpoſe, in pain of 20 l.

CCXXXII. Northen clothes ſhall be made ſuch weight, length, breadth, as by former Statutes are provided, upon the pains in the ſame Statutes contained.

CCXXXIII. A Seal of Lead ſhall be ſet to every Northern cloth, expreſſing the length and weight thereof, in pain to forfeit the ſame: And here the offendors ſhall alſo forfeit for every yard, that it wants of due length 4 s. And for every pound, that it wants of due weight 2 s.

CCXXXIV. Overſeers ſhall be appointed and ſworn in the county by two Juſtices of Peace, and in corporations by the head-officer, calling to him the next Juſtice of Peace to make ſearch once a moneth at leaſt for defects in Northen clothes, and if they ſhall find any ſtretched, ſtrained, or ſealed with any falſe ſeal, they ſhall make preſentment thereof at the next quarter-ſeſſions, and here he that deceives or with-holds any faulty clothes, ſhall for the firſt offence forfeit 10 l. for the ſecond 20 l. and for the

third

third (being thereof lawfully convicted by verdict or two witneſſes) ſhall ſuffer the Pillory.

CCXXXV. The Overſeer, that refuſeth to appear, or to undertake that office, ſhall forfeit 5 l. to be divided betwixt the Queen and the Officers, that made him Overſeer.

CCXXXVI. The Overſeers ſhall fix a ſeal of lead to ſuch clothes expreſſing the length and breadth of the ſame together with the word *ſearched*, which ſhall exempt them to be ſearch elſewhere.

CCXXXVII. If any (ſave the ſaid Overſeers) ſet or take away Seal to, or from the ſaid clothes without warrant, they ſhall forfeit to the Queen for the firſt offence 10 l. And for the ſecond (being thereof lawfully convicted by verdict or two witneſſes) 20 l. And beſides ſuffer the Pillory.

☞ CCXXXVIII. Juſtices of Peace, Head-conſtables and Overſeers ſhall ſearch and ſeize ropes, winches and other engins uſed for the unlawfull ſtretching of Northern clothes, and none ſhall withſtand them upon the forfeitures above mentioned for reſiſting the Overſeers.

CCXXXIX. The Juſtice, that ſhall be found negligent in the due execution of this Act ſhall forfeit 5 l. And this and all other forfeitures of this Act ſhall be divided into three parts, whereof the Queen is to have one, the Informer another, and the poor of the place where the offence is committed, the third, *See the clauſes following.*

CCXL. Juſtices of Peace have power to hear and determine theſe offences in their Seſſions, and Juſtices of Aſſizes to convict the Juſtices of Peace that are negligent, upon proof of two witneſſes; But upon neglect of juſtice by the ſaid Juſtices of Peace and Juſtices of Aſſizes the aboveſaid penalties are recoverable in any other Court of Juſtice, and in that caſe the one half thereof ſhall go to the Queen, and the other to the informer.

CCXLI. The owner of Northern clothes brought up to be ſold in *London* ſhall cauſe them to be brought to *Blackwell-hall* to be ſearched drie without wetting, in pain of 40 s. But here the ſearcher ſhall not make his ſearch at ſuch times, when it may be a hindrance to the owners market, in pain of 5 l. Theſe penalties are likewiſe given to the Queen and the informer.

* CCLII. Stat. 43 *El.* 10. None ſhall put any hair, flocks, thrum, yarn made of lambs wooll, or any other deceivable thing in Broad cloth, Kerſie, Frize, Dozen, Penyſtone, Cotton, *Taunton* cloth, *Bridgewater*, or *Dunſter* Cotton (which *Dunſter* Cotton ſhall be taken to be of like weight, length, and breadth, as *Taunton* and

Bridgewater

Bridgewater cloth, in pain to forfeit ſuch cloth, kerſie, &c.) And none ſhall buy or procure any ſuch deceivable thing for that intent, in pain to forfeit the ſame.

CCXLIII. None ſhall uſe any Engine to ſtretch the ſaid Cloths or Rugs unwrought in length or breadth, in pain of 20 l. to be divided between the Queen and the proſecutor.

CCXLIV. None ſhall ſet any wrought woollen cloth upon any tentor, or other Engine to ſtretch the ſame otherwiſe then as followeth, *viz.* the whole broad cloth one yard in length, and one half quarter in breadth, & the Kerſie, Cotten, &c. one half yard in length, and one nail in breadth, in pain to forfeit ſuch cloth, kerſie, &c.

CCXLV. Woollen clothes ſhall not exceed the lengths appointed by former Statutes, in pain to forfeit the ſame; ſaving that *Taunton*, *Bridgewater* clothes, and others of like making may weigh onely 30 pounds, and *Suffolk*, *Norfolk*, *Eſſex*, and Northern clothes ſhall be abated 4 pounds in the whole cloth, and 2 pounds in the half cloth.

CCXLVI. If any whole cloth want above three pounds of the weight limited by the ſaid Statutes, or a half cloth half ſo much, for every pound ſo wanting he ſhall forfeit 10 s. for 2 pounds 20 s. for three pounds 40 s. and ſo to forfeit a double penalty for every pound ſo wanting, unleſs he will yield the ſaid cloth, and then it ſhall be forfeited.

CCXLVII. The Statute of 39 *El.* 20. which gives power to Juſtices of Aſſize, Juſtices of Peace, and Head-officers for Northern clothes ſhall extend alſo to clothes made in other Countreys.

CCXLVIII. Cloth ſealed by the overſeers (authorized by 39 *El.* 20.) ſhall not be ſearched or tried again by any other officer.

CCXLIX. The ſeveral branches of 5 & 6 *E.* 6. 6. 4. & 5 *P. M.* 5. 27 *El.* 17. and 35 *El.* 9. which concern over lengths of clothes, and the clauſe of the ſaid Statute of 4 and 5 *P. M.* 5. which concern Certificates of faulty clothes are repealed.

CCL. No Merchant ſhall take advantage of a Clothier for any defect in cloth.

CCLI. All Acts heretofore made contrariant to this are repealed.

CCLII. Such as obſerve this Act, albeit they offend contrary to 39 *El.* 20. ſhall not incur any penalty inflicted by 39 *El.* 20.

CCLIII. The moiety of all forfeitures (not otherwiſe hereby appointed) the overſeers or finder ſhall have, and the poor the other.

CCLIV. If any unwrought woollen cloth (after it is tranſported) ſhall be found ſtretched contrary to this Act, the Merchant may return

turn it at his own coſts, and ſhall recover damages againſt the maker or ſeller thereof.

CCLV. **Stat.** 1 *Jac.* 25. None ſhall incur any penalty for want of length, breadth, or weight of Welſh cottons, under the price of 15 d. the yard, and 2 s. the goad, ſo as they be not mixed with deceitful ſtuff, nor for any other above that price, except they be mixed as aforeſaid, or ſhall ſhrink above the rate of half a yard in 12 yards, or weigh leſs then 14 ounces the yard, or hold not full three quarters of a yard broad.

* CCLVI. **Stat.** 3 *Jac.* 16. Ordinary Kerſeys ſhall not exceed 24 yards in length, and (being fully dreſſed and dried) ſhall weigh 28 pounds and an half: And ſorting Kerſeys ſhall have the ſame length, and ſhall weigh 32 pounds and an half.

CCLVII. If any piece of Kerſey of the ſaid ſeveral kinds, exceed thoſe lengths, or want of thoſe weights reſpectively, the maker ſhall forfeit for every yard ſo exceeding 5 s. and for every pound ſo wanting 2 s. to be divided betwixt the King and the proſecutor.

CCLVIII. The cuſtom and ſubſidy of Kerſeys 24 yards long ſhall be as much as was paid before for a piece of 18 yards and a third part of ſuch a piece.

* CCLIX. **Stat.** 3 *Jac.* 17. None ſhall incur any penalty for want of fixing a content ſeal to Welſh cottons; neither ſhall any (ſave the buyer) ſearch or try them, in pain of 5 l. to be divided betwixt the King and the party grieved.

CCLX. **Stat.** 4 *Jac.* 2. Every coloured broad cloth made in *Kent*, *Yorkſhire*, *Reading*, and elſewhere (of like making) being thorow wet, ſhall contain in length between 30 and 34 yards (yard and inch) Standard-meaſure; and ſix quarters and an half throughout within the liſts, and being well ordered and dried ſhall weigh 86 pounds.

CCLXI. The length of white *Worſters* (being wet) ſhall be between 30 and 33 yards, their breadth 7 quarters, and their weight 78 pounds.

CCLXII. The length of Plunkets, Azures, Blues, and long Whites (being wet) ſhall be between 29 and 32 yards, their breadth ſix quarters and an half, and their weight 80 pounds.

CCLXIII. Sorting clothes ſhall contain in length betwixt 23 and 26 yards, be 6 quarters broad, and weigh 64 pounds.

CCLXIV. Fine ſhort *Suffolks* ſhall contain in length between 23 and 26 yards, be ſix quarters and an half broad, and weigh 60 pounds.

CCLXV. Handywarps ſhall contain in length between 29 and 32 yards, be 7 quarters broad, and weigh 76 pounds.

CCLXVI. Broad Plunkets and other coloured clothes made in the Counties of *Wilts* and *Somerſet*, or elſewhere of like making ſhall be betwixt 26 and 28 yards long, ſix quarters and an half broad, and weigh 68 pounds.

CCLXVII. Short coloured clothes made in *Yorkſhire*, or elſewhere (of like making) ſhall be between 23 and 25 yards long, ſix quarters and an half broad, and weigh 66 pounds. And every half cloth or *Dozen* ſhall be made according to the ſame rate.

CCLXVIII. Broad liſted whites and reds ſhall contain between 26 and 28 yards in length, be ſix quarters and an half broad, and weigh 64 pounds.

CCLXIX. Narrow-liſted whites and reds ſhall contain in length betwixt 26 and 28 yards, be 6 quarters and an half broad, and (being white) ſhall weigh 61 pounds, but red 60 pounds.

CCLXX. Fine clothes with plain liſts ſhall contain in length between 29 and 32 yards, be ſix quarters and an half broad, and weigh 72 pounds.

CCLXXI. Clothes having ſtop liſts ſhall contain in length between 30 and 33 yards, be ſeven quarters broad, and weigh 78 pounds.

CCLXXII. *Tauntons*, *Bridgewaters*, *Dunſtars*, *&c.* ſhall contain in length between 12 and 13 yards, be ſeven quarters broad, and weigh 30 pounds: and every narrow cloth of like making ſhall be between 24 and 25 yards long, one yard broad, and weigh 30 pounds; and the half cloth of that kind ſhall contain the ſame breadth, and the length and weight ratably. And as touching ſuch broad and narrow clothes, as are made in *Yorkſhire* into whites and reds, the broad clothes there ſhall keep the ſame meaſures and weight; but the narrow is to contain in length between 17 and 18 yards, and in weight proportionable as aforeſaid.

CCLXXIII. *Devonſhire* Kerſeys or Dozens ſhall contain in length between 12 and 13 yards, and ſhall weigh 13 pounds. And *Check* Kerſeys, Streats, and plain Greys ſhall contain in length between 17 and 18 yards, be one yard broad, and weigh 24 pounds.

CCLXXIV. Ordinary Penniſtones and Foreſt whites ſhall contain in length between 12 and 13 yards, be five quarters and an half broad, and weigh 28 pounds: and ſorting Penniſtones ſhall be between 13 and 14 yards long, ſix quarters and an half broad, and weigh 35 pounds.

CCLXXV. All *Cogware*, *Kendal*, and *Carptmeals*, ſhall be made to pleaſe the buyer, and ſhall not be ſearched, ſealed, or ſubject to other penalty, then ſuch as was impoſed thereon before 39 *El.* ſo as they ſhrink not above one yard in 20.

CCLXXVI. Kerſeys called Waſhers and Waſh whites, (being half thicked) ſhall contain in length between 17 and 18 yards, or (quarter thicked) between 18 and 19, and ſhall weigh 17 pounds.

CCLXXVII. None ſhall raiſe or row woollen cloth with cyl, greaſe, or the like, or uſe the ſame, but upon the edge of the ſheers onely, in pain of 13 s. 4 d. and it ſhall be wrought all alike throw-out, upon the like pain; and the wool thereof taken away onely by the ſheers, upon the ſame pain.

CCLXXVIII. None ſhall blow, ſpout, or bedew woollen cloth neer the liſts thereof with water or otherwiſe, in pain of 13 s. 4 d. and if it be done, to increaſe the weight, the penalty is 40 s.

CCLXXIX. Abatement ſhall be made for the dying, dreſſing, ſhearing, and rowing of cloth, *viz.* for ſhort clothes 4 pounds, and long clothes 5 pounds, and according to that rate.

CCLXXX. Flannel, Wadnals, Coverlets, and Blankets may be made as formerly they have been; notwithſtanding this Statute.

CCLXXXI. None ſhall exceed the lengths aforeſaid, in pain to forfeit for every yard and inch ſo exceeding 10 s.

CCLXXXII. If any ſell woollen cloth wanting the weight aboveſaid, he ſhall forfeit for every two pounds ſo wanting 10 s.

CCLXXXIII. If any cloth want the juſt breadth, the ſeller thereof ſhall forfeit for ſuch want throughout the whole piece 20 s. the half piece 10 s. and for any leſs part 5 s.

CCLXXXIV. If a cloth be of leſs length then the ſeal thereof doth purport, the ſeller ſhall forfeit to the buyer 6 s. 8 d. for every yard and inch that it ſo wants, beſides the value of ſo much as ſo falls ſhort.

CCLXXXV. Every branch in any former Statute whereby any other length, breadth, or weight of the ſaid clothes, or any other penalty concerning the ſame, or any offence (intended by this Act to be reformed is limited, or whereby any penalty for the offences (in this Act mentioned) is given to any other perſon, then in and by this Statute is limited, ſhall be repealed.

CCLXXXVI. Cloth ſealed by the Overſeers appointed by the Statutes of 19 *El.* 20. and 43 *El.* 10. ſhall not be ſearched, tried, or watered again, but onely by the buyer thereof.

CCLXXXVII. The penalties for over-length or want of weight found by the Overſeers, ſhall be divided betwixt the King and

them: but if such fault shall be found by the buyer, and not found and certified by the Overseers, then shall such penalties be divided betwixt the King and such buyer.

CCLXXXVIII. If any broad woollen cloth be longer or shorter then 24 yards and inches, the duties for the same shall be proportionable, according to the length.

CCLXXXIX. Every Clothier may make any kind of woollen cloth in what place he pleaseth.

CCXC. The Kings duties are reserved, as also the Aulnagers office and fees; so as cloth once lawfully searched and sealed, shall not be searched and sealed again.

* CCXCI. Stat. 7 Jac. 7. The sorter, carder, kember, spinster, or weaver of wool, or yarn, that shall be found (by his own confession, or the testimony of one witness) to imbesil or detain any part thereof from the true owner, shall incur whipping and the stock, to be inflicted upon them (in the Country) by any two Justices of Peace, and (in a Corporation) by the Head-Officer, and another joyned with him; ☞ and here also the receiver thereof shall incur the like punishment, as also those in *Essex*, which use a Reel less then two yards about.

CCXCII. But such Imbeziler may redeem his punishment, by giving such satisfaction to the owner, as such Justice or Head-officer shall think fit.

CCXCIII. Stat. 7 Jac. 18. Certain course clothes made in the North shall not be searched or sealed, nor any custom or Aulnage paid for them.

CCXCIV. Stat. 21 Jac. 18. The Statute of 4 Jac. 2. is continued, save what is thereof altered, repealed, discontinued, or inlarged by this.

* CCXCV. None shall put any flocks, thrums, hair, or other deceitful stuff into broad woollen cloth, in pain of 5 l. to be distributed to the poor, where such deceitful cloth is made.

CCXCVI. The searchers or overseers of cloth may enter into and make search in any house or other place, to find deceitful cloth.

CCXCVII. Any two Justices of Peace may call before them any person suspected for making deceitful cloth, and if upon confession of the party, or testimony of two witnesses, they shall find any guilty thereof, and make certificate accordingly under their hands and seals to the Churchwardens and Overseers of the poor of the Parish, where the offence is committed, those Officers shall levy the penalties forfeited, by distress and sale of goods, and for want of distress the offender shall suffer imprisonment.

CCXCVIII. The Officer being ſued ſhall be allowed to plead the general iſſue, &c. and ſhall recover double coſts.

CCXCIX. If cloth be defective, the ſearchers of the Pariſh where it is made, ſhall certifie it by their ſeal, having the word *Faulty* ſtamped upon it: And the ſearcher that ſearcheth cloth already ſearched ſhall forfeit 5 l. to the party grieved.

CCC. All woollen clothes ſhall be ſearched and ſealed before they be ſold.

CCCI. No tentor for broad clothes made in *Yorkſhire* ſhall have any further place or liberty under bar, then half a quarter of a yard: and the Overſeers in thoſe parts ſhall upon the penalties of their recognizances make due ſearch for deceitful tentors; and, if any be found, ſhall deface them.

CCCII. He that offends the ſecond time in having ſuch a tentor, ſhall forfeit 45 s. to the poor.

CCCIII. Every Overſeer of cloth ſhall (upon the like penalty of this recognizance) ſet his name upon the ſeal of cloth, and clothes otherwiſe ſealed ſhall not be allowed as ſufficiently ſealed.

CCCIV. Preſſing of clothes between hot planks, or by any heat of fire, or other deceitful means, ſhall be puniſhed by like forfeitures, as preſſing with the hot Preſs is puniſhable by any former Statute.

CCCV. A third part of all penalties limited by this and former Statutes for want of length, breadth and weight, the Searchers that find and certifie ſuch defaults, ſhall have, and the reſt ſhall be delivered to the Churchwardens and Overſeers for the uſe of the poor, for which they ſhall be accountable, as by the Statute of 43 *E.* 2. is provided.

CCCVI. **Stat.** 14 *Car.* 2. *cap.* 5. Twelve Wardens and 30 Aſſiſtants, maſter Weavers to be elected yearly, to conſult about the regulation and making orders and by-laws, for the making of ſtuffs in *Norfolk* and *Norwich*.

CCCVII. **Stat.** 14 *Car.* 2. *cap* 32. An Act for the better regulating the manufacture of broad woollen cloth, and a Corporation made for that purpoſe within the Weſt-riding of the County of *York*, to continue till the end of the firſt ſeſſion of the next Parliament and no longer.

Dures.

I. **Stat.** 1 *R.* 2. 13. All obligations forced by Dures, upon Eccleſiaſtical Judges and others, whereby they are reſtrained from ſuing for tithes and other duties in the Eccleſiaſtical Court, ſhall be void.

II. Such as falſly procure ſuch Judges or others to be indicted ſhall incur ſuch puniſhment, as by *Weſt.* 2. 12. is ordained for falſe appeals, *which ſee in* Appeals.

Durham.

I. **Stat.** 7 *E.* 6. *not printed.* By this Act the Biſhoprick of *Durham* was diſſolved, and the King was to have all the lands and hereditaments thereof; and another Act was alſo made the ſame year *Cap.* 10. whereby the Town of *Gateſide* was united to the Town of *Newcaſtle*: but both theſe Acts are repealed by 1 *M. Parl.* 23. And by this Act the Biſhoprick of *Durham* is revived and erected, and thereby are annexed unto the County Palatine all the juriſdictions both Eccleſiaſtical and temporal, as alſo the Town of *Gateſide*, and all lands and hereditaments before belonging to the ſaid Biſhoprick; and divers other proviſions are therein contained concerning thoſe matters: *For which ſee the Statute at large.*

II. **Stat.** 5 *El.* 27. Fines levied before the Juſtices of the County Palatine of *Durham* (or one of them) of lands lying in the ſame County, ſhall be good.

III. **Stat.** 31 *El.* 9. Writs upon Proclamations and exigents againſt any perſon dwelling within the County Palatine of *Durham*, ſhall be directed to the Biſhop of *Durham*, *&c.* with divers other proviſions for that County Palatine: *For which ſee the Statute at large.*

Eccleſiaſtical Juriſdiction.

* I. **Stat.** 37 *H.* 8. 19. Doctors of the Civil Law, (albeit they be Lay-men, or married, and unmarried) may exerciſe Eccleſiaſtical juriſdiction.

Egyptians.

* I. Stat. 22 *H.*6. 10. If any calling themſelves Egyptians, do come into this Realm, they ſhall forfeit all their goods, and being commanded, ſhall depart the Realm within 15 days upon pain of Impriſonment: *But ſee here in the Statutes following a greater penalty ordained.*

* II. Stat. 1. 2 *P.M.* 4. None ſhall tranſport any lewd people, who call themſelves Egyptians into this Realm or *Wales*, in pain of 40 l. And it ſhall be felony (without Clergy) for them to remain above a moneth in *England* or *Wales*; neither ſhall they be tried *per medietatem linguæ*, but by the Inhabitants of the County or place where they are taken.

III. None ſhall ſue for any licence or paſport for any Egyptians to ſtay in *England* or *Wales*, in pain of 40 l. and ſuch licence or paſport ſhall be void.

IV. The forfeitures aforeſaid ſhal be divided betwixt the King and Queen's Majeſties, and the Proſecutor.

V. This Act ſhall not extend to charge perſons, not above the age of 13 years, nor as acceſſary to any offence contained in this Statute.

VI. Stat. 5 *El.* 20. Any perſon whatſoever, conſorting with Egyptians by the ſpace of a moneth, ſhall be judged a felon without Clergy.

VII. This Act ſhall not include children within 14 years of age, neither ſhall any perſon born in *England* or *Wales*, be compelable to void the land by the Statute of 1. 2 *P.M.* but onely to leave their lewd courſe of life.

Election.

I. weſt. 1. *cap.* 5. 3 *E.* 1. None ſhall diſturb any (by force of Arms, Malice, or Menaces) to make free Election, in pain of great forfeiture.

II. Artic. Cleri. *cap.* 14. 9 *E.*2. There ſhall be free Election for the dignities of the Church.

* III. Stat. 31 *El.* 6. If any perſon or perſons having election or voice in the nomination or choice of any perſon to have place in any Church, Colledge, School, Hoſpital, Hall, or other Society, ſhall take any reward directly or indirectly, or any promiſe or aſſurance thereof directly or indirectly for ſuch their election or voice, that then ſuch place ſhall be void; and that then ſuch perſon as

hath power to diſpoſe thereof may diſpoſe of the ſame, as if the perſon before elected or appointed were actually dead.

IV. If any perſon of ſuch ſocieties take any reward or aſſurance thereof directly or indirectly for reſigning ſuch place, the party giving it ſhall forfeit the double value thereof, and the party taking it ſhall be uncapable of ſuch place; and then alſo the party to whom ſuch place apertains may diſpoſe thereof as aforeſaid.

V. At every Election this Statute, and the Statutes of the Society, which concern Election, ſhall be read.

VI. The forfeitures of this Statute ſhall be divided betwixt the Queen and the Proſecutor.

VII. If any perſon for any reward or aſſurance thereof directly or indirectly taken, do preſent or collate any perſon to any Benefice with cure of ſouls, Dignity, Prebend, or living Eccleſiaſtical, or give or beſtow the ſame for any corrupt conſideration, every ſuch preſentation, collation, gift, &c. beſtowing, and every admiſſion, inſtitution, inveſtiture, and induction thereupon ſhall be void; and from thenceforth the Queen, her heirs and ſucceſſors may preſent or collate thereunto, or give or beſtow the ſame for one turn onely.

VIII. None ſhall give or take ſuch reward or take or make ſuch aſſurance in pain to forfeit the double value of one years profit of ſuch ſpiritual promotion, and the perſon taking ſuch promotion ſhall be diſabled in Law to injoy the ſame.

IX. If any perſon for any ſuch reward or aſſurance thereof (lawful fees excepted) admit, inſtitute, inſtal, induct, inveſt, or place any perſon in any ſuch ſpiritual promotion, the party ſo offending ſhall forfeit the double value of one years profit of ſuch promotion, and the admiſſion, inſtitution, &c. ſhall be void; and then the Patron or other perſon unto whom the next gift appertains, may preſent or collate thereunto.

X. Howbeit no lapſe ſhall accrue upon ſuch violence, until ſix moneths after notice thereof given by the Ordinary to the Patron.

XI. If any Incumbent of any Benefice with cure of ſouls ſhall corruptly reſign or exchange the ſame, or ſhall corruptly take for reſigning or exchanging thereof directly or indirectly, any benefit whatſoever; both the giver and taker thereof ſhall loſe the double value of the benefit ſo had, to be divided betwixt the Queen and the Proſecutor.

XII. Penalties inflicted by the Eccleſiaſtical law are not taken away by this Statute.

XIII. If any perſon ſhall directly or indirectly take any reward or

another profit or assurance of the same (lawful fees onely excepted) to make a Minister, or to give license to preach, he shall forfeit 40 l. and the party so made Minister or licensed to preach 10 l. and if the party so made Minister or licensed, be inducted, invested or installed into any benefice within seven years after, such induction, &c. shall be void, and the party having the gift thereof may present or collate, as if he were dead.

XIV. The forfeitures of this Act shall be divided betwixt the Queen and the prosecutor.

English-men.

I. **Stat.** 14 & 15 *H.* 8. 4. All English-men sworn subjects to any forein Prince; shall pay such impositions as Aliens do.

II. Their names shall be certified into the Chancery from *Holland*, *Zeland*, *Brabant* and *Flanders*, by the Governour of the Merchant-Adventurers there, and from other parts by the King's Embassadours residing in those parts.

III. An English-man returning and dwelling again within this Realm shall be restored to his liberties.

England and Scotland.

I. **Stat.** I *Jac.* 2. An authority is given to certain Commissioners of both Houses of Parliament (named in this Statute) to treat with certain Commissioners of *Scotland* concerning the settlement of an union and peace between the Kingdoms of *England* and *Scotland*.

II. **Stat.** 4 *Jac.* 1. Laws of hostility and the dependancies thereof between the two Nations are repealed, but this Act in that point is not to take effect, until the like be acted in *Scotland*.

III. None shall be troubled for any wrong done before the death of Queen *Eliz.* by the laws of the Borders.

IV. Felonies committed by English-men in *Scotland*, shall be tried in *Cumberland*, *Westmerland* or *Northumberland* before Commissioners and Jurors of *England*; and here the felon shall be admitted to have his witnesses examined upon oath, and the prosecutor and his witnesses shall by any Justice of Peace of any of those Counties be bound by recognizance to prosecute and give evidence, the prosecutor first tendring such witnesses their reasonable charges.

V. Here also the accessary shall be so tried, albeit the principal be not convicted or attainted, and neither principal nor accessary shall

ſhall be allowed Clergy, or peremtory challenge above five, and the Indictment ſhall be good notwithſtanding the words, *Contra pacem, Coronam, & dignitatem noſtras*, be omitted.

VI. No Sheriff or other Miniſter ſhall return any Juror upon ſuch trial, but ſuch as have freehold worth 5 l. *per annum* in the County where the trial is had, in pain of 40 l. for every Juror otherwiſe returned, to be divided betwixt the King and him that will ſue for it.

VII. Here, the offender ſhall not forfeit any lands, nor have his bloud corrupted, neither ſhall his wife loſe her dower, but he ſhall forfeit all his goods, chattels and credits.

VIII. The like act being intended to be made in *Scotland*, when the like offence is committed in *England* by a Scotch-man, afterwards fled into *Scotland*, Juſtices of Oyer and Terminer, Gaol-delivery and Peace of *England* have power to binde over by recognizance both the proſecutor and witneſſes, they being tendred their charges, as before, to appear in *Scotland* upon the trial, which recognizance (upon failer) being certified into the Exchequer-chamber, ſhall by decree there be made a debt to the King.

IX. Scotch-men coming into *England* to proſecute or give evidence againſt an Offender in *Scotland* ſhall be free from arreſts for any offence or cauſe whatſoever, except treaſon and murther, ſo long as they are in England for that purpoſe.

X. The offence ſhall be alledged in the indictment to be done in the place where indeed it was done.

XI. He that is once tried in *Scotland* ſhall not be again called in queſtion for the ſame offence, but his former trial ſhall be a good plea for him, unleſs by certificate from *Scotland* ſome other cauſe may be diſcovered.

XII. No Engliſh man ſhall be ſent out of *England* to be tried in *Scotland*. *But this is altered by the Statute following.*

XIII. The Jurors, or the greater part of them may allow or reject any of the witneſſes of either party, as they ſhall in their diſcretions finde cauſe.

XIV. Here the trial of a Peer ſhall be by his Peers.

XV. **Stat.** 7 *Jac.* 1. If an Engliſh-man ſhall commit felony in *Scotland*, and then fly into *England*, the Juſtices of Aſſize, or one of them, the Juſtices of Gaol-delivery in their Gaol-delivery, or four of them, or the Juſtices of Peace in Seſſions, or four of them may ſend the Offendor into *Scotland* to be tried: Howbeit this Act ſhall not take effect, until another of the like nature (*vice verſa*) be made in *Scotland*.

XVI. **Stat.** 16. 17 *Car.* 17. An Act for the confirmation of the

the Treaty of Pacification between the two Kingdoms of *England* and *Scotland*. *See the Statute at large.*

XVII. **Stat.** 16. 17 *Car.* 18. An Act for ſecuring by publick faith the remainder of the friendly aſſiſtance and relief promiſed to our brethren of *Scotland*. *See the Statute at large.*

Engleſchire.

I. **Stat.** 14 *E.* 3. *Stat.* 1. *cap.* 4. Preſentment of Engleſchire is clearly aboliſhed.

Entry, and Writs of Entry.

I. **Marlb.** 29. 52 *H.* 3. When ſo many alienations have been made, that the Writ of Entry cannot be made in the uſual form, the Plaintiff ſhall have a Writ to recover his Seiſin without mention of the degrees: *And this is called a Writ of Entry ſur diſſeiſin en le Poſt.*

II. **Glocest.** 7. 6 *E.* 1. If a woman alien her dower in fee or for life, the heir, or other perſon to whom the land ought to revert after her death, ſhall immediately recover it by a Writ of *Entry*.

Entry lawful.

I. **Stat.** 32 *H.* 8. 33. Where a diſſeiſor dieth ſeized of lands, that diſcent ſhall not take away the entry of the diſſeiſee or his heir, unleſs the diſſeiſor had peaceable poſſeſſion thereof five years next after ſuch diſſeiſin committed.

Errour.

I. **Stat.** 5 *E.* 3. 2. *in fine*, & 10 *E.* 3. *Stat.* 2. 3. Where Errour is made before the King's Steward and Marſhal, the Plaintiff may by Writ remove the Record into the King's Bench, and may there have it redreſſed.

II. **Stat.** 31 *E.* 3. *Stat.* 1. 12. The Lord Chancellor and Treaſurer calling to them ſuch of the Juſtices and other ſage perſons, as they ſhall think fit, as alſo the Barrons of the Exchequer (to give the reaſons of their judgments) may examine erroneous judgments given in the Exchequer, and (if any errour be found) may correct the Rolls, to the end the Exchequer may proceed to execution.

III. **Stat.** 32 *El.* 3. Fines and Recoveries, and all matters concerning

cerning them now extant and in being may be inrolled, which inrolment ſhall be of as great validity, as the ſame ſo extant and remaining in being.

IV. No Fine, Proclamation or Recovery ſhall be reverſable for falſe Latine, raſure, interlining, miſ-entring, miſ-returning, not returning or any other matter of form and not of ſubſtance.

V. This Act ſhall not bar any from a Writ of errour upon any fine or recovery heretofore had and purſued within five years after this Parliament, or which before the firſt of *June* 1582. was exemplified under the great Seal; nor a *feme covert*, Infant, *non compos mentis*, one in priſon or beyond Sea, ſo that they or their heirs purſue ſuch writ within ſeven years after ſuch imperfection, reſtraint or abſence removed; and if any of them happen to die hanging the ſuit, their heir may undertake it within one year after the ſaid ſeven years, and if the heir be under age, then within one year after his full age.

VI. The day and year of the acknowledgment of a fine, and of the warrant of Attorney for the ſuffering of a recovery ſhall be certified together with the concord or warrant, and none ſhall be inforced ſo to certifie but within one year after ſuch acknowledgment made or warnt given.

VII. No Officer ſhall receive any writ of covenant or entry without the day ſo certified, in pain of 5 l.

VIII. No Attornment upon any fine, in a *Quid juris clamat*, *Quem reddidum reddit*, or *Per quæ ſervitia*, ſhall be entred upon Record, unleſs the party attorning have firſt appeared in Court, or by Attorney warranted under the hand of a Juſtice of one of the Benches, or of Aſſize, And every Attornment otherwiſe made ſhall be void without any Writ of Errour, or other means to be uſed for the avoiding thereof.

IX. There ſhall be an office for the inrolments of Writs for fines and recoveries, and one of the Juſtices of the Common-Pleas (beſides the chief Juſtice) ſhall have the care thereof; and ſhall have for the inrolment and examination of every fine with the parts thereof 6 s. 8 d. and as much for a Recovery and the parts thereof, and for every exemplification of them 5 s. and for the ſearch of every year 4 d. and for every ſheet of a Copy (containning 14 lines) 4 d. and ſhall ſubſcribe his name to the Roll after he hath ſo examined it, in pain of 5 l.

X. The ſaid Juſtice ſhall have power to puniſh the officers, who manage that imployment, by fine or amerciament for their miſpriſion or negligence therein, which ſhall be eſtreated amongſt the fines and amerciaments of that Court.

XI.

XI. The *Chirographer* ſhall the firſt day of every Term fix in the Court of Common-Pleas a Table of each County, containing a true content of the fines paſſed in any one Term, and ſhall alſo deliver the like to each Sheriff, in pain of 5 l. and the Sheriff ſhall fix it up in the Court at the next Aſſizes, in like pain of 5 l. The ſaid forfeitures are to be divided betwixt the Queen and the proſecutor, and the *Chirogrpher's* fee for every ſuch content is 4 d.

XII. The Records ſhall not be carried out of the Office of Inrolments, and Fines and recoveries already paſſed and exemplifi-ed ſhall not be afterwards amended.

XIII. **Stat.** 27 *El.* 8. Where a judgment is given in the King's Bench in debt, detinue, covenant, accompt, action upon the caſe; *ejectione firmæ*, or treſpaſs, firſt commenced there (other then ſuch where the Queen is party) the plaintiff or defendant may ſue forth of the Chancery a Writ of Errour, commanding the chief Juſtice to cauſe the Record to be brought before the Juſtices of the Common Pleas, and Barons of the Exchequer into the Exchequer-chamber, which Juſtices and Barons, or any ſix of them (being of the Coif) have there power to examine, and reverſe or affirm the ſaid judgment; other then for errour concerning the juriſdiction of the King's Bench, or for want of form in any Writ, Return, Plaint, Bill, Declaration or other proceeding whatſoever: and after ſuch judgment reverſed or affirmed, the ſaid record ſhall be remanded, that the King's bench may proceed thereupon, as ſhall appertain; yet ſuch reverſal or affirmation ſhall not be ſo final, but that the party who finds himſelf grieved, may ſtill ſue in Parliament, as before.

XIV. **Stat.** 31 *El.* 1. The not coming of the Chancellor and Treaſurer at the day of adjournment in any ſuit of Errour depending by force of 31 *E.* 3. *Stat.* 1. *cap.* 13. ſhall not be any diſcontinuance of the Writ of Errour; But if both the chief Juſtices or either of thoſe great Officers be there, it ſhall be no diſcontinuance: Howbeit, no judgment ſhall be given therein, unleſs both thoſe Officers be there preſent.

XV. Any three of the Juſtices of the Common Pleas or Barons of the Exchequer may receive Writs of Errour, award proceſs thereupon, and prefix days of continuance for ſuch Writs notwithſtanding the Statute of 11 *El.* 8. but no judgment ſhall be given therein without the full appearance of ſix according to that Statute; and here alſo the party that finds himſelf grieved, may ſue in Parliament as before.

XVI. **Stat.** 16 *Car.* 2. *ca.* 2. For preventing abatement of

writs

Writs of Errour upon judgments in the Exchequer, enacted: That the not coming of the Lord Chancellor and Lord Treaſurer or either of them, at the day of Return of any writ of Errour, to be ſued forth by vertue of the Stat. 31 *E.* 3. *ca.* 12. (recited in the Statute 31 *El. ca.* 1.) ſhall not cauſe any abatement or diſcontinuance of any ſuch Writ of Errour. But if both the chief Juſtices of either Bench, or either of them, or any one of the ſaid great officers, the Lord Chancellor or Lord Treaſurer, ſhall come to the Exchequer chamber, and there be preſent at the day of Return of any ſuch Writ of Errour, it ſhall be no abatement or diſcontinuance: But the ſuit ſhall proceed, to all intents as if the ſaid Lord Chancellor and Lord Treaſurer had come and been preſent at the day and place of return of ſuch Writ.

Provided no Judgment be given, in any ſuch ſuit or writ of Errour, unleſs both the Lord Chancellor and Lord Treaſurer ſhall be preſent thereat.

XVII. An Act to prevent Arreſts of Judgment, and ſtaying Executions, by Writs of Errour and Superſedeas.

Vid. Title Execution, *num.* XI.

Eſcape.

I. **Weſt.** 1. 3. 3 *E.* 1. Nothing ſhall be taken for the eſcape of a felon, until it be judged an eſcape by the Juſtices in *Eyre*, in pain of reſtoring as much to the party grieved, and as much alſo to the King.

II. **Stat.** 31 *E.* 3. *Stat.* 1. 14. The eſcape of felons, and the chattels of felons, fugitives, and Clerks convict, adjudged by the King's Juſtices ſhall be levied, as they ſhall fall.

III. **Stat.** 1 *R.* 3. 3. Juſtices of Peace have power in Seſſions to inquire of eſcape of felons.

Eſchange.

I. **Stat.** 9 *E.* 3. 7. Exchanges ſhall be kept where it ſhall pleaſe the King and his Council.

II. **Stat.** 25 *E.* 3, *Stat.* 5. 12. Every man may exchange gold for ſilver, or ſilver for gold, or for gold and ſilver, ſo that no man hold the ſame as exchanged, nor take profit for ſuch exchange, in pain to forfeit the money ſo exchanged, except the King's exchangers, which take profit for ſuch exchange, according to the ordinance before made: *Note that this Statute is thus alſo recited in* 5. 6 *E.* 6. 19. *Howbeit the* French *Copy* (*in ſtead of*, ſo as no man hold

the

the ſame as exchanged) *hath it thus*: iſſint que nul home teigne comen eſchange; *and ſo the miſtake ſeems to be in the word* come, *which ſhould have been* comen, *and* Raſtal *in the firſt Edition of his Abridgment* (*which I have*) *renders it thus*: null preigne riens pur eſchange dor pur argent on *è contra*, ſur pain de forfetter del mony iſſint change forpriſs changours le Roy, quex pregneront ſolunque lordinante ent fait.

III. **Stat.** 14 *R.* 2. *Stat.* 1. 2. For every Exchange, the Merchant ſhall be bound in Chancery to buy within three moneths after ſuch exchange) Merchandiſe of the Staple, to the value of the ſumm exchanged in pain to forfeit the ſame.

IV. **Stat.** 11 *H.* 4. 8. The Statute of 14 *R.* 2. ſhall be duly executed, and the Lord Chancellor ſhall ſend the eſtreats or exchanges taken of Merchants into the Exchequer every 15 dayes, and the Barons there ſhall have power to examine the Cuſtomers in that caſe and to puniſh them, if they finde them faulty. *But note that theſe two laſt Statutes are now out of uſe.*

* V. **Stat.** 5. 6 *E.* 6. 19. None ſhall give or take any more for the exchange of coin, then the true value thereof amounteth unto, in pain to forfeit the mony ſo exchanged, or ſuffer one years impriſonment, and to be fined at the King's pleaſure; and the ſaid forfeiture is to be divided betwixt the King and ſeizer or proſecutor.

Eſchequer.

I. **Stat.** *Scaccarii* 51 *H.* 3. All Bailiffs, Sheriffs, the Juſtices of *Cheſter*, Receivers of Wards and Eſcheats, and other Officers ſhall account in the Exchequer to the Treaſurer and Barons there; and all Sheriffs, Farmers, Bailiffs of Franchiſes, and others that ought to come to the profer of that Court the Monday after *Mich.* and the Monday after the *Utas* of *Eaſter*, ſhall then pay in their Farms, Rents and Iſſues, and upon default they ſhall there remain until payment or agreement made for the ſame, and in caſe of abſence they ſhall be amercied.

II. Then alſo ſhall the Sheriffs and Bailiffs pay in their ſummons of the Exchequer, and be then alſo ready to make account for the things aforeſaid, and if the Bailiffs fail to do it, their bodies ſhall remain in Ward of the Sheriffs, and the Sheriff ſhall levy the King's debts by himſelf or his own Bailiffs, where the Bailiffs of the Franchiſes fail to do it.

III. The Juſtices of *Cheſter* ſhall have day to accompt from year to year in *Quind. Paſchæ*, and the Bailiffs thereof in the Monday of Eaſter *Utas*.

VI.

IV. All Sheriffs (except of *Weſtmerland*, *Lancaſter*, *Worceſter*, *Rutland* and *Cornwal*) ſhall keep all Wards and Eſcheats belonging to the King, and ſhall be anſwerable for the iſſues thereof in the Exchequer at the terms aforeſaid; and at their turns they ſhall finde office of ſuch things as belong to the King, and which are not uſed to be found before the Eſchearers with as little grievance of the people as may be: And ſhall ſeize ſuch Eſcheats, as fall to the King in fee, and ſhall without delay certifie the King thereof.

V. The King ſhall aſſign three able perſons to ſurvey and finde yearly the Wards and Eſcheats aforeſaid, which the Sheriffs ſhall let to farm for the King's beſt advantage.

VI. The Sheriff of *Cumberland* ſhall be Eſchearer in *Weſtmerland* and *Lancaſter*, the Sheriff of *Nottingham* in *Rutland*, the Sheriff of *Gloceſter* in *Worceſter*, and the Sheriff of *Devonſhire* in *Cornwal*; and ſhall ſafely keep the King's Wards and Eſcheats in thoſe Counties, and at the terms aforeſaid ſhall be anſwerable for the iſſues thereof in the Exchequer, as well as for thoſe of their own Counties.

VII. The ſaid Surveyors ſhall approve and mannage the King's demeſnes, and ſhall be anſwerable for the iſſues thereof, and the Farmers ſhall be chargeable to the principal Approvers, and they in the Exchequer yearly the Munday after *Aſcention* day.

VIII. Alſo the Collectors of the Cuſtom of the Wooll ſhall account and pay yearly in the Exchequer at the two Terms aforeſaid.

IX. The Keeper of the King's Wardrobe ſhall alſo account yearly at the feaſt of S. *Margaret*.

X. The Treaſurer and Barons ſhall prefer the taking of theſe accounts before any other buſineſs to be heard in Court, except it concern the King's own debt.

XI. One Sheriff ſhall not be received to accompt during anothers account, nor until the firſt accomptant hath paid all his mony.

XII. The Conſtable, Marſhall, Chamberlain, and other that are of fee in the Exchequer ſhall preſent to the King ſuch as are of good fame to execute their offices, and for whom they will anſwer.

XIII. No Deputy-officer (without the licence of the Treaſurer and Barons) ſhall be there received, unleſs he be ſworn, and if he commit any treſpaſs, and be not able to ſatisfie the puniſhment inflicted, his ſuperiour ſhall be anſwerable for it.

XIV. The Officers of the Wool-ſtaple ſhall make oath to certifie the Treaſurer and Barons, or ſome of them (or, if need require the King himſelf) of all defaults and offences committed in the Wool-ſtaple.

XV. About the feaſt of S. *Margaret*, and before the cloſe of the

Exchequer ſearch ſhall be made whether any Sheriff or Bayliff have failed to account that year, and if any be, a remembrance thereof ſhall be made in the Roll; and if it be a Sheriff, his account ſhall be firſt heard after *Michaelmas*; but if a Bayliff, he ſhall be ſummoned or diſtrained to account at a certain day.

XVI. The Surveyors of the King's works ſhall be choſen by the oath of 12 men, and of ſuch as may beſt attend that Office, and are ſufficient to anſwer the King, if need be; and ſhall ſwear that they bear lawful witneſs; and if the Treaſurer or Barons ſuſpect the ſale, allowances of charges, or the like, the truth thereof ſhall be inquired, and he that is attainted ſhall anſwer the King as much as the allowances amounteth unto, ſhall ſuffer a year and forty dayes impriſonment, and be further puniſhed at the King's pleaſure; and the Surveyors ſhall be alſo puniſhed for their conſent: and here, he that concealed any thing, wherewith he is chargeable ſhall be puniſhed as well as he that admitted ſuch falſe allowances.

XVII. All Juſtices, Commiſſioners, and others ſhall deliver into the Exchequer yearly after *Michaelmas* the eſtreats of fines and amerciaments taxed before them, and the Exchequer ſhall eſtreat them out in the ſummons to all Counties except the eſtreats in *Eyre* which ſhall be delivered immediately after the *Eyre* made.

XVIII. **Stat.** *de Rutland*, 10 *E.* 1. From henceforth the bodies of Shires ſhall not be written in ſeveral Rolls, but in a certain annual Roll by themſelves, which ſhall be read every year upon the accounts of Sheriffs.

XIX. The remanents of the ferms ſhall be written by later dates in the annual Rolls, and the Sheriffs ſhall be charged therewith; in which remanents, Liveries, Alms aſſigned, and other allowances (if Sheriffs have had any) of the iſſues of their Bailiwicks by the King's Writs ſhall be allowed; and to the end the King may not be abuſed in ſuch allowances, the Treaſurer and Barons ſhall certifie the Chancellor the due allowances, and the Writs of allowances ſhall be made according to ſuch certificate.

XX. Alſo in thoſe annual Rolls ſhall be written the Sheriff's ferms, the profit of Counties, the ferms of Serjeanties, Aſſerts, Cities, Burrows, Towns and other ferms, whereof there is anſwer yearly made in the Exchequer. In them likewiſe ſhall be written all debts determined, groſs debts, and all other debts, that ſeem to be clear: Howbeit new duties ſhall not be written therein, but thoſe debts, whereof there is hope of payment, and whereof the Sheriff is anſwrable, and debts found in the originals.

XXI. Of dead ferms and, deſperate debts whereof there is no hope, one roll ſhall be made intituled *Comitatus*, and ſhall be read

yearly upon the Sheriff's account, and the debts there, whereof the Sheriff is anſwerable ſhall be writ in the annual roll, and there ſhall be acquitted.

XXII. Tailes already paid and not allowed but charged in the ſummons of the Exchequer ſhall after proclamation be delivered to the Sheriffs to be allowed upon their accounts; and two faithful Knights in every County ſhall be preſent at the delivery of ſuch Tails, which ſhall be delivered by Indenture betwixt the Knights and the Sheriffs, which Knights ſhall ſend their part to the Exchequer at the Sheriffs account; And if the Tails be not ſo delivered as aforeſaid, the party failing ſhall be chargeable with the debt.

XXIII. Inquiſitors ſhall be appointed in every County, what debts, and what part thereof are paid, and what not, which Inquiſitors ſhall certifie the perſons convict to have received them, and thereupon Examination thereof ſhall be made in the Exchequer, and the Rolls rectified accordingly.

XXIV. The Chamberlains of the Exchequer ſhall not make to Sheriffs or Bayliffs Tails or *dividends*, unleſs they firſt receive of them writings concerning the particular ſumms of the actions of debts, and the names of them that paid them, unto which particulars he may put the names of ſuch *dividends*, which being ſo received under their ſeals, they ſhall not be afterwards numbred into other particulars.

XXV. When *Nichils* are returned by the Sheriff, they ſhall be eſtreated into Rolls and delivered unto circumſpect men to be inquired of as the Treaſurer and Barons ſhall direct.

XXVI. No ſuit ſhall be proſecuted in the Exchequer houſe unleſs it concern the King and his Officers there.

XXVII. **Stat.** 37 *E.* 3. 4. The Clerks of the Remembrance ſhall ſit againſt the Clerk of the Pipe to take notice of, and imbreviate all diſcharges in the Pipe, to the end that proceſs may thereupon ceaſe: alſo upon ſuch diſcharge the ſummons of Pipe ſhall be withdrawn.

XXVIII. **Stat.** 1 *R.* 2. 5. All former Statutes made concerning the Officers of the Exchequer ſhall be firmly kept.

XXIX. If any Officer there make out proceſs for a debt already paid, he ſhall loſe his office, be impriſoned, and mak gree with the party at the diſcretion of the Treaſurer and Barons.

XXX. **Stat.** 5 *R.* 2. *Stat.* 1. 9. Every perſon impeached in the Exchequer may plead there in his own diſcharge.

XXXI. **Stat.** 5 *R.* 2. *Stat.* 1. 11. Accounts in the Exchequer ſhall be heard, made and ingroſſed more ſpeedily then they were wont.

XXXII.

XXXII. **Stat.** 5 *R.* 2. *Stat.* 1. 12. Two Clerks ſhall be aſſigned and ſworn to make parcels of Accompts in the Exchequer, and ſhall be recompenced for their pains as the Barons ſhall think fit.

XXXIII. **Stat.** 5 *R.* 2. *Stat.* 1. 13. No accounts of *Nihil* ſhall be admitted, but upon oath, and examination of the Officer, who upon ſuch oath ſhall be diſcharged thereof, ſaving the Kings right.

XXXIV. **Stat.** 5 *R.* 2. *Stat.* 1. 14. The Clerk of the Pipe and the two Remembrancers ſhall be ſworn to make due entry (every term) of all Writs for the diſcharge of any perſon. And the Remembrancers ſhall alſo be ſworn to make a Schedule (every term) of ſuch as ſhall be ſo diſcharged, and to deliver it to the Clerks of the Pipe, to the end they may be alſo diſcharged in the great Roll; and the Clerk of the Pipe ſhall alſo be ſworn to require ſuch Schedules, and to deliver like Schedules to the Remembrancers of ſuch as ſhall be diſcharged in his Office.

XXXV. **Stat.** 5 *R.* 2. *Stat.* 1. 15. If a Judgment of Livery given in any other Court ſhall be ſent into the Exchequer, the Remembrancer in whoſe office ſuch accounts ſhall be demanded ſhall not iſſue new proceſs thereupon, but ſhall cauſe it to ceaſe by an Indorſement upon the Writ.

XXXVI. **Stat.** 5 *R.* 2. *Stat.* 1. 15. The Clerk's fee for making of a Commiſſion or Record of *Niſi prius* in the Exchequer ſhall be onely 2 s.

XXXVII. **Stat.** 13 *R.* 2. *Stat.* 1. 14. Recognizances or bonds of the double made in the Exchequer for the King's debts ſhall be void: Provided, that the King be ſecured his duty the uſual way.

XXXVIII. **Stat.** 1 *Jac.* 26. Iſſues loſt, which by Queen *Elizabeth's* orders made in the fifteenth year of her Reign, ought to be remitted, ſhall from henceforth be diſcharged in the Exchequer.

XXXIX. If the Treaſurer's Remembrancer or any officer under him obſerve not the ſaid orders, they ſhall forfeit 20 l. to be ſued for within two years, and to be divided betwixt the King and the party grieved.

XL. No proceſs to do homage and fealty, or fealty onely, or writs of *ſcire facias*, *capias*, or diſtreſs for fines eſtreated out of the Common Pleas, ſhall iſſue out of the Remembrancers office upon ſuppoſal onely, upon the pains provided by former laws and orders of the Exchequer, but it muſt be upon juſt ground: and if it appear there that a tenure hath been traverſed, the proceſs ſhall be diſchared by ſuch traverſe without pleading.

XLI. Upon the eſtreat of the original of the Chancery of the

firſt granted of any lands holden in chief, by Knight Service, or Soccage in chief, or of any licence or pardon of alienation, *Ouſter le maine*, general or ſpecial livery, or the inrolment of any of them, proceſs ſhall be made only for the ſervices due thereupon, and the parties ſhall be admitted without pleading, paying the fine, as hereafter is expreſſed.

XLII. Here where the firſt tenant is returned *Mort*, or *Nihil habet*; then ſhall iſſue out a *diſtring. tenent* for the tenant or tenants to do his or their ſervice; againſt whom, after he or they are known, proceſs ſhall iſſue out every term with iſſues to be loſt, until they come in ſhew their entry, make fine, &c.

XLIII. If a grantee of an inheritance or free-hold in lands holden in chief, or by Knights ſervice have a licence of Alienation, and bring it to the Treaſurers Remembrancer, it ſhall be received and inrolled without plea: ſo likewiſe ſhall a Livery general or ſpecial, or *ouſter le main.*

XLIV. Where any Writ of Reverſion ſhall be made upon any Record for lands, wherein the Prince is in Reverſion, the party upon ſhewing a Record teſtifying ſo much ſhall be diſcharged without plea.

XLV. Where two Mannors in one County have the ſame name, if that of them be charged which ought not, the iſſues out ſhall be ſaved and the party diſcharged without plea.

XLVI. Iſſues loſt by any, which are returned tenants of lands, which they have not, ſhall be diſcharged.

XLVII. Iſſues loſt upon a Ward under age ſhall be diſcharged; ſo alſo ſhall thoſe returned upon the Committee of a ward.

XLVIII. Iſſues loſt upon lands in the Queens hands by extent, ſhall be diſcharged; ſo alſo ſhall thoſe returned upon tenants for life, year, or at will; or upon tenants of lands in chief by extent.

XLIX. Iſſues loſt by untrue returns, or miſreturns by Sheriffs ſhall be diſcharged.

L. Iſſues loſt upon any former grants of lands in chief, and now not holden, ſhall be diſcharged.

LI. Iſſues loſt by being returned upon a Jury, when the party at the time of his apparance was in priſon, beyond ſea, or in the Queen's ſervice, ſhall be diſcharged.

The

The Exchequer-Fees for reſpect of Homage.

The value of the Land.	The Queen's Fee.	The Remembrancer's Fee.	The Entry.	The Attourney's Fee.
li. li.	ſh. d.	ſh. d.	ſh. d.	ſh. d.
A 100 *ad* 60	10 00	01 08	00 04	By ſome 03 04
A 60 *ad* 30	06 08	01 08	00 04	By ſome 01 08
A 30 *ad* 20	05 00	01 08	00 04	By ſome 00 00
A 20 *ad* 15	03 04	01 01	00 04	l. ſh. d
A 15 *ad* 10	02 00	01 08	00 04	By ſome 2 00 0
A 10 *ad* 10 m	01 80	01 c8	00 04	voluntary 1 00 0
A 10 m *ad* 5 li.	01 00	00 c0	00 04	annuities for 0 13 4
A 5 li. *ad* 3 li.	05 08	00 08	00 04	all matters. 0 10 0
A 3 li. *& infra.*	00 04	00 04	00 04	0 06 8
				0 05 0

Theſe never loſe iſſues, but have their fines paid, whether they come or not.

LII. The Treaſurer's Remembrancer ſhall ſatisfie every ſubjects charges, that ſhall be vexed upon a ſuppoſal to be ſet by the Court ſo alſo ſhall his Clerks pay the iſſues loſt, when the ſubject hath duly paid his reſpect of Homage, to be proved by the acquittance.

LIII. The Treaſurer's Remembrancer may by order of the Exchequer iſſue out proceſs for the diſcovery and preſervation of tenures, notwithſtanding this Act; Howbeit, no ſuch tenure appearing, the party ſhall be diſcharged without plea or fee.

☞ Eſcheators.

I. **Stat.** 14 *E.* 3. 8. Eſcheators ſhall be choſen by the Chancellor, Treaſurer, and chief Baron calling to them the two chief Juſtices as Sheriffs uſe to be choſen: and they ſhall not continue in their office above one year.

II. **Stat.** 34 *E.* 3. *ſtat.* 1. 13. Every Eſcheator ſhall take his

Enqueſts of good and lawful men, well inherited and good fame, and inhabiting the County where the inquiry is made; And the Enqueſt ſo taken ſhall be indented between him and the Jurors otherwiſe they ſhall be void. The Enqueſts ſhall alſo be taken in good towns openly and not privily.

III. Stat. 34 E. 3. Stat. 1. 14. Traverſees of offices found before the Eſcheators ſhall be tried in the Bench.

* IV. Stat. 36 E. 3. Stat. 1. 13. An Eſcheator ſhall have no fee of the lands of the King's ward, neither ſhall he commit any waſte therein, in pain of forfeiting treble dammages at the ward's own ſuit, or by his friends; The ſame law is alſo of other land ſeiſed by Enqueſt of office.

V. Land ſeiſed into the King's hand by an Eſcheator ſhall be let to farm by the Chancellor to him which tendreth a traverſe to the office.

VI. Enqueſts ſhall be taken openly and by Indenture, as aforeſaid, and if the Eſcheator do contrary to this Act, he ſhall ſuffer two years impriſonment, and be ranſomed at the King's will.

VII. Stat. 42 E. 2. 5. None ſhall be Eſcheator unleſs he have 20 l. of land at leaſt in fee: He ſhall execute his office in proper perſon, and upon the putting in of another, his office determines.

VIII. Stat. 8 H. 6. 16. No Eſcheator or Commiſſioner ſhall take any Enqueſts but ſuch as are impannelled by the Sheriff of the County within which he bears that office, in pain of 40 l. to be divided betwixt the King and the party grieved.

IX. Lands ſeiſed by the Eſcheator ſhall not be let to farm before the officer be fully returned, and then they ſhall be let to him that tendreth a traverſe to the office; he finding ſurety to proſecute it with effect, and to anſwer the profits, in caſe he cannot maintain the traverſe: but then he muſt tender his traverſe within a moneth after the return.

X. The Eſcheator or Commiſſioner ſhall return the office within a moneth, in pain of 20 l. to be divided betwixt the King and the proſecutor.

XI. Stat. 18 H. 6. 6. No lands ſhall be granted before the King's title thereunto be found by inquiſition, nor within a moneth after, unleſs it be to him that tendreth his traverſe, as aforeſaid.

* XII. Stat. 18 H. 6. 7. The Eſcheator ſhall return an office found before him into the Chancery or Exchequer within one moneth after the taking thereof, in pain of 40 l. given by the Stat. of 8 H. 6. 16. and beſides to anſwer ſo much to the King as he is damnified for not returning the ſame.

XIII.

XIII. **Stat.** 23 *H.* 6. 17. The Eſcheator ſhall take his inqueſt within one moneth after the delivery of the Writ unto him, and that in ſome good Town openly.

XIV. He ſhall not take above 40 s. for the execution of one writ in one County, and that onely when his labour and coſts require it, otherwiſe he ought to take leſs, and all this in pain of 40 l. to be divided betwixt the King and the proſecutor.

XV. If any will traverſe an office, no protection ſhall lie for the Patentee, and concerning the demiſe of the lands to him that tenders a traverſe, the Statutes of 36 *E.* 3. 13. 8 *H.* 6. 16. & 18 *H.* 6. 6. ſhall be duly obſerved.

XVI. **Stat.** 12 *E.* 4. 9. None ſhall take upon him to be an Eſcheator, or Deputy to an Eſcheator, unleſs the Eſcheator himſelf hath free-hold within the County worth 20 l. *per annum*, in pain of 40 l. to be divided betwixt the King and the proſecutor.

XVII. His Deputy or Farmer ſhall be a ſufficient man, and ſhall certifie into the Exchequer his deputation within 20 dayes next after it is made, upon the like pain of 40 l. to be divided as aforeſaid.

XVIII. Juſtices of Peace in Seſſions have power to hear and determine theſe defaults, and give judgment for the recovery of the ſaid forfeitures.

XIX. This Statute ſhall not reſtrain Corporations, which have power by their Charter to appoint Eſcheators.

XX. **Stat.** 1 *H.* 8. 8. No Office ſhall be returned into any of the King's Courts, but ſuch as is found by Jury, in pain to forfeit 5 l. to the party grieved.

XXI. The yearly revenue of an Eſcheator or Commiſſioner ſhall be fourty Marks in free-hold in the ſame County, ſo that they ſhall not execute any Writ, unleſs they have lands of that value, in pain of 20 l. and the Commiſſioner (not having ſuch an eſtate) may refuſe to ſit, and ſhall be diſcharged upon oath without fine or fee.

XXII. They ſhall ſit in open places according to former Statutes, and ſhall take their evidence openly, in pain of 40 l.

XXIII. Here, if the Sheriff return a Juror, not having 40 s. *per annum* free-hold in the ſame County, he ſhall forfeit 5 l.

XXIV. The Inquiſition ſhall be taken by Indenture, whereof one part ſhall remain with the fore-man, and the other part is to be delivered by the Commiſſioners or Eſcheator into the Petty-Bag-office, from whence it is afterwards to be tranſcribed into the Exchequer: And the Juror ſhall preſent by Indenture, in pain to forfeit 20 s. a piece, the Eſcheator alſo, or the Commiſſioners, or

ſome of them ſhall receive the Jurors preſentment without delay, in pain of 5 l.

XXV. The officer in the Petty-Bag ſhall file the office within three days after receit thereof, in pain of 40 l.

XXVI. The officer in the Exchequer that refuſeth to receive an office upon tender ſhall forfeit 40 l. and then the Eſcheator or Commiſſioners ſhall be diſcharged of their forfeiture of 40 l. for not returning the officer within a moneth, ſo that they return another into the Chancery or Exchequer (as the cauſe requires) within a moneth after that firſt moneth.

XXVII. The Clerk of the Petty-Bag ſhall ſend a tranſcript of the office into the Exchequer the next term after he receives it, in pain of 5 l.

XXVIII. None ſhall be Eſcheator above a year, nor within 3 years after; and the aboveſaid forfeitures of 5 l. the party grieved ſhall have, but the reſt ſhall be divided betwixt the King and the proſecutor.

XXIX. This Act ſhall not reſtrain ſuch as by reaſon of any franchiſe, preſcription, or grant may depute Eſcheators, but that ſuch Eſcheators may hold their offices above a year.

XXX. Neither ſhall the branch of this Act concerning the yearly value of eſtates of Eſcheators and Jurors extend to Corporations or priviledged perſons, and places, the County Palatine of *Lancaſter* and *Cheſter* onely excepted.

XXXI. Neither ſhall this Act extend to prejudice Juſtices of Peace for doing any thing which concerns the Commiſſion of Peace.

XXXII. **Stat.** 1 *H.* 8. 10. Lands ſeized into the King's hands upon an inqueſt of Office ſhall be let to farm to him, that tendreth to traverſe the ſame within three moneths after ſuch office found, notwithſtanding the Statute of 8 *H.* 6. 16.

XXXIII. **Stat.** 33 *H.* 8. 22. He that is certified in the Chancery by the Treaſurer to be Eſcheator, ſhall within one moneth take upon him the office, or ſhew cauſe in the Exchequer why he doth it, in pain of 20 l.

XXXIV. The Eſcheator ſhall not ſit, *virtute officii*, where the lands be 5 l. *per annum* or above, in pain of 5 l.

XXXV. The Eſcheator ſhall forfeit 5 l. if he take for the finding of an office of lands, that exceed not 5 l. *per annum* above 15 s. *viz.* for his own fee 6 s. 8 d. fot writing the office 3 s. 4 d. for the Juries charges 3 s. and for the officers above, that are to receive the office 2 s.

XXXVI. The officers appointed to receive Inquiſitions, ſhall receive

ceive them upon tender within a Moneth after their finding, in pain of 5 l.

XXXVII. The aboveſaid forfeitures ſhall be divided betwixt the King and the Proſecutor.

XXXVIII. **Stat.** 2. & 3 *E.* 6. 8. The Eſtates and Intereſt of others ſhall be ſaved, though they be not found in the office.

XXXIX. Where an heir of full age is found within age, he ſhall have a writ of *Ætate probanda* and may proceed to ſue out his Livery, or *Ouſter le main*, (as his caſe is) and receive the profits of his lands, notwithſtanding ſuch office found.

XL. Where after the King's tenants death, more heirs then one are found, or if one untruly be found a Lunatick, Idiot, or dead, the party grieved may have his traverſe, as in other caſes of untrue Inquiſitions.

XLI. A traveſe, or *Monſtrance de droit* is given without petition, though the King be intitled by double matter of Record.

XLII. When the Jury findes *de quo vel de quibus, &c. ignorant*, or *per quæ ſervitia ignorant*, the firſt ſhall not make a tenure of the King, nor the laſt a tenure in *capite*, but in ſuch caſe a *melius inquirendum* ſhall iſſue forth.

XLIII. Traverſe given to an office, where a wrong tenure is found.

XLIV. The rents of mean Lords ſhall be paid (during the nonage of the ward) by the officer, that receives the revenue of the Ward's lands.

XLV. This Act ſhall not extend to Inquiſitions taken before the 20 of *March* 1548.

XLVI. Upon every traverſe a *ſcire facias* or two writs of ſearch ſhall iſſue forth, *viz.* the firſt againſt the King's Patentee, and the other when by the Common Law the party grieved was put to his Petition.

XLVII. Notwithſtanding a traverſe, the King's former right ſhall be reſerved.

Eſcuage.

I. **Magna Charta**, 37. Eſcuage ſhall be taken as it was wont in the time of King *Henry* our Grandfather.

Eſſoin.

I. **Marlb.** 13.52 *H.*3. After iſſue joyned in Dower, *Darrein* preſentment, or *Quare impedit*, one Eſſoin or one default ſhall be onely allowed, and if the party come not at the day given, or make default the ſecond day, the Enqueſt ſhall be taken, and judgment given.

II. If the Enqueſt be taken in the County before the Sheriff or Coroners, it ſhall be returned before the Juſtices at a certain day, when if the party appear not, another day ſhall be aſſigned by the Juſtices, and then ſhall iſſue a command to the Sheriff to cauſe the party to come to hear the judgment: when if he come not, the Juſtices ſhall proceed to judgment: In like manner, it ſhall be done, if he come not at the day given by the Eſſoin.

III. **Marlb.** 19. 52 *H.* 3. In Counties, Hundreds, Court-Barons, or other Courts, none ſhall need to ſwear to warrant his Eſſoin.

IV. **weſt.** 1. 41. 3 *E.* 1. In Aſſize, Attaints, and *Juris utrum* after apparence the tenant ſhall not to be Eſſoined.

V. **Weſt.** 1. 42. 3. Parceners or tenants joyntly enfeoffed ſhall not forch by Eſſoin.

VI. **weſt.** 1. 43. 3 *E.* 1. Eſſoin *ultra mare* ſhall not be allowed, but ſhall be turned into a default, if the Demandant will prove, that the tenant was within the four Seas the day of the ſummons and three weeks after. Howbeit, this is onely to be done before Juſtices.

VII. **Glocester,** 10. 6 *E.* 1. The husband and wife being impleaded ſhall not fourch by Effoin.

VIII. **weſt.** 1. 2. 13 *E.* 1. There ſhall be no Eſſoin for an Appellant.

IX. **weſt.** 2. 17. 13 *E.* 1. In the Circuit of the Juſtices an Eſſoin *de malo lecti*, lieth not for lands in the ſame County, unleſs the party be ſick indeed: for if at the inſtance of the demandant it be proved by inqueſt that the tenant is not ſick, the Eſſoin ſhall be turned to a default.

X. Neither ſhall ſuch an Eſſoin lie in a writ right between two claming by one deſcent.

XI. **weſt.** 2. 27. 13 *E.* 1. An Eſſoin may be allowed at the next day after inqueſt, but none at any of the other days following, nor after day given *prece partium.*

XII. **weſt.** 2. 28. 13 *E.* 1. In Aſſize after apparence the demandant ſhall not be Eſſoined.

XIII.

XIII. **Stat.** Of Eſſoins 12 *E.* 2. Eſſoins do not lie in the inſuing caſes, where the land is taken into the Kings hands; where the party is diſtrained by his lands; where any judgment is given thereupon, if the Jurors come where the party is ſeen in the Court; Eſſoin *Ultra mare* lieth not, where the party hath had before an Eſſoin *de mal venir*; It lieth not where the party hath Eſſoined himſelf another day; where the Sheriff was commanded to make the party to appear; Eſſoin *de ſervitio Regis* lieth not where the party is a woman; it lieth not in a Writ of Dower; or becauſe the plaintiff hath not found pledges; it lieth not where ſuch a man's Attorney was Eſſoined; where the party hath an Attorney in his ſuit; where the Eſſoiner confeſſeth that he is not in the Kings ſervice, where the ſommons is not returned, or the party not attached upon *non eſt inventus* returned; where the party was before Eſſoined *de ſervitio Regis*, & had not put in his warrant, where the party hath been reſummoned in Aſſize of *Mortdanceſter*, or *Darrein* preſentment; It lieth not becauſe ſuch a one is not named in the writ; nor where the Sheriff hath a Precept to diſtrain the party to come, by his lands and goods; nor where the Biſhop was commanded to cauſe the party to appear; nor for that the day is paſt.

XIV. An Eſſoin *de ſervitio Regis* is allowed after the *Grand cape*, *Petit cape*, and diſtreſſes taken upon the lands and goods.

XV. **Stat.** *De viſu terræ*, An eſſoin *de ſervitio Regis* lieth not in a writ of *Novel diſſeiſin*, Dower, *Darrein* preſentment, or Appeal, *Vide Raſt. Eſſoin* 13.

Eſtrepement.

I. **Glocester**, 13. 6 *E.* 1. No waſt ſhall be made hanging a ſuit for the land.

☞ Eſtreats.

I. **West.** 1. 44. 5 *E.* 1. If tenant or defendant make default after the firſt attachment returned, the great diſtreſs ſhall be awarded whereupon if the Sheriff make no ſufficient return, he ſhall be amerced, but if the return be that he hath done execution, & delivered the iſſues to the ſureties, day ſhall be given him to return them before the Juſtices, when if the party appear, he ſhall have them, but if not, the King ſhall have them; and the Juſtices ſhall cauſe them to be ſent into the King's Wardrobe, and then deliver them into the Exchequer, and the Juſtices in *Eyre*, to the Sheriff of the County (where they plead) and likewiſe of forreign Counties, who ſhall be charged therewith by the Rolls of the Juſtices.

II.

II. **Stat.** *De forma mittendi extractus ad ſcaccarium* 15 *E.* 2. *Vide Raſt. Eſtreates* 2. Firſt, all fines to have writs, and all other fines (wherein the ſum is expreſſed) of one County for the whole year, which are to be ſent into the Exchequer, entred in the ſtreat of themſelves in one place, in order as they are entred in the Chancery Rolls, together with the date of the day when ſuch fine was made.

III. Next to them ſhall be entred Charters, Letters Patents, and Commiſſions in which any rent is due to the King, or any accompt is to be made; Then, homages, fealties, writs of *Diem clauſit extremum*, reliefs and ſervices.

IV. Then, the names of all ſuch as ſhall be aſſigned that year to hear, inquire of, or do any thing, whereby fine, amerciament, or other profit may ariſe to the King, to the end they may be ſent to for the Eſtreats thereof. And in the end of the Eſtreat rediſſeiſins and ſurcharging of paſtures.

V. *Statutum ſcaccarii* is confirmed, and it is further ordained, that the Juſtices of both the Benches, the Warden of the forreſt, the Steward of the King's houſe, and the Clerk of the Market, ſhall in like manner yearly deliver their Eſtreats in the Exchequer: The Steward of the King's houſe ſhall alſo ſend his Eſtreats yearly at the cloſe of *Eaſter* term, and the next day after *Michaelmas*.

VI. The Warden alſo of the Alnage ſhall yearly deliver his Eſtrears to the Treaſurer, containing all defaults of cloth contrary to the Aſſize and the Price, at which he delivered them, and alſo where, when, and by what warrant.

VII. Divers other proviſions for the King's Butler, and Cuſtomers concerning wines imported.

VIII. **Stat.** 42 *E.* 3. 9. The party chargeable by the Eſtreats of green wax upon payment thereof ſhall ſee the ſchedules themſelves under ſeal, and the charge being paid, it ſhall be totred by the Sheriff, for default whereof if the party be afterwards damnified, the Sheriff ſhall pay him treble damages, to be recovered before Juſtices of Peace, or other Juſtices, and ſhall beſides make fine to the King. Alſo where the copies of the Eſtreat concern franchiſes they ſhall be delivered to Bailiffs of the Franchiſes under the Sheriffs ſeal, which Bailiffs ſhall render an account thereof in the Exchequer by the ſame Copies.

IX. **Stat.** 7 *H.* 4. 3. The Juſtices and Judges, before whom Iſſues or amerciaments are forfeit, ſhall charge the Clerks of the Eſtreats, where they are ſo forfeit, by oath to expreſs in their Rols the cauſe of ſuch forfeit, the term when, the nature of the writ whereupon

whereupon, and betwixt what parties they were loſt, and that as well in the King's ſuit as in the parties.

X. The Statute of 42 *E.* 3. 9. confirmed.

Evidence.

I. **Stat.** *Ja.* An Action being brought againſt a Juſtice of Peace, Major, or Bailiff of a Corporation, Head-borough, Pottreeve, Conſtable, Tithing-man, or Collector of ſubſidies or fifteens for any thing done by reaſon of their ſeveral offices, both they and all their aſſiſtants may plead the general iſſue, and yet give the ſpecial matter in evidence.

II. Here, if the verdict paſs for the defendant, or the plaintiff be non-ſuit or diſcontinue his ſuit, the defendant ſhall be allowed double coſts, to be recovered, as coſts in other caſes given to the defendant uſe to be recovered.

III. **Stat.** 21 *Ja.* 12. The Statute of 7 *Ja.* 5. is confirmed, and Churchwardens, Sworn-men, and Overſeers of the poor, together with their Aſſiſtants are to be comprehended within the purview of the ſame Statute.

IV. An Action brought againſt any of the ſaid Officers there Deputies or Aſſiſtants ſhall be laid in the County where the fact was committed, and not elſewhere.

Exception.

I. **weſt.** 2. 31. 13 *E.* 1. When the Juſtices will not allow a Bill of exception upon Prayer, if the party impleaded render the ſame unto them in writing, and requires their ſeals thereunto, they or one of them ſhall do it.

II. If the Exception ſealed be not put into the Roll, upon complaint thereof to the King the Juſtice ſhall be ſent for, and if he cannot deny the ſeal, the Court ſhall proceed to judgment, according to the exception.

Exciſe.

I. **Stat.** 12 *Car.* 2. *cap.* 24. There ſhall be paid to the King his heires and ſucceſſors the ſeveral rates and impoſitions following, *viz.*

Every barrel of Beer or Ale above 6 s. the barrel, brewed by common Brewers or perſons commonly ſelling the ſame, 15 d.

Every barrel of Beer or Ale under 6 s. by ſuch common Brewers or Sellers, 3 d.

Every

Every hogſhead of Sider and Perry ſold by retail, and payable by the retailer, 15 d.

Every gallon of Metheglin or Mead ſold, to be paid by the maker, ob.

Vineger beer by the common brewer, every barrel, 6 d.

Every gallon of Strong-water, or Aquavitæ, ſold, to be paid by the maker, 1 d.

Every barrel of Beer imported from beyond Sea, 3 s.

Every tun of Sider or Perry imported, 5 s.

Every gallon of Spirits made of Wine or Sider imported from beyond Sea, 2 d.

Every gallon of Strong-water imported, 4 d.

Every gallon of Coffee ſold, to be paid by the maker, 4 d.

Every gallon of Chocolate, Sherbet and Tea, ſold by the maker. 8 d.

II. The rates upon forein liquors imported ſhall be paid by the Merchants importing, in ready money before landing thereof.

III. All common Brewers of Beer and Ale, ſhall once in every week: And all Inn-keepers, Alehouſe-keepers, Victuallers and retailers of Beer, Ale, Sider, Perry, Metheglin and Strong-water, every moneth make particular entries thereof at the office of Exciſe within their limits:

IV. All common Brewers for omitting ſuch entries ſhall forfeit 10 l. Inn-keepers 5 l. and Alehouſe-keepers 20 s. for every default.

V. Common Brewers not paying their duties within a week after entrey, ſhall pay double the value: Inn-keepers, Alehouſe-keepers, Victuallers and retailers, not paying within a moneth after entrie, ſhall pay double the value.

VI. Provided, none dwelling in Market-towns be compelled to make entries or payment, but in the ſaid Town, none other dwelling out of ſuch Market-town but in the next Market-town to the place where he inhabiteth.

VII. The Commiſſioners and Sub-commiſſioners appointed by the King may under their hands and ſeals appoint ſo many Gagers as ſhall be needfull: who may enter into the houſes of Brewers, Inn-keepers, &c. to gage all Coppers, Fatts, and Veſtels in the ſame, and thereof make return in writing to the Commiſſioners and Sub-commiſſioners of Exciſe under whoſe office and limits they live: and upon refuſal may forbid the parties to ſell any Beer, &c. and 10 l. forfeiture, if the party ſhall afterwards ſell.

VIII. The Gagers ſhall return 36 gallons after the Ale-quart for a Barrel of Beer.

IX. Brewers and Retailers ſhall obſerve the uſual prices: ſaving the Exciſe to the Brewer.

X. Allowance ſhall be made to the Brewers for waſt and leakage, viz. 3 barrels, upon 23 for Beer, and 2 barrels, upon 22 for Ale; which upon falſe entry proved before the Commiſſioners of Exciſe or any 2 of them, the Brewer ſhall loſe and forfeit the ſaid allowance for 6 moneths.

XI. Brewers ſhall deliver no Beer to Retailors until the Exciſe be paid: Provided, perſons being no common Brewers paying the Exciſe ſhall not be ſubject to the penalties in this Act.

XII. Commiſſioners may compound for the Exciſe with Innkeepers, Alehouſe-keepers and Victuallers within their deviſions.

XIII. The Lord Treaſurer or ſuch Commiſſioners as the King ſhall appoint, may contract with perſons for the farming any the rates or duties in this Act, for any term not exceeding 3 years.

XIV. Provided, perſons to be appointed by the Juſtices of the Peace within ſix moneths after this Act to have the refuſal of contracting for the Exciſe, in their reſpective Counties.

XV. Forfeitures and offences upon this Act in *London* ſhall be heard and determined before the Commiſſioners of Exciſe, or Commiſſioners of Appeal, and in the ſeveral Counties before 2 Juſtices of the Peace, and upon their neglect or refuſal by 14 days ſpace after complaint, and notice to the offendor, then the Subcommiſſioners for the Town or place, &c. or major part of them to hear and determine the ſame, ſaving an appeal in caſe of wrong to the quarter Seſſions, who are to ſummon the parties and may proceed to levy the forfeitures within this Act.

XVI. Provided, the ſaid forfeitures and penalties may be mittigated or compounded, 3 fourth parts of which ſhall go to the King and one fourth to the informer.

XVII. One principal office of the Exciſe erected in *London*, to be mannaged by ſuch officers as the King ſhall appoint.

XVIII. None ſhall be capable to meddle in any office of the Exciſe, until he ſhall before 2 Juſtices of the Peace, or one of the Barons of the Exchequer take the Oath of *Supremacy* and *Allegiance*, and the Oath following.

You ſhall ſwear to execute truely and faithfully, without favour or affection, and ſhall from time to time true accompt make, and deliver to ſuch perſon and perſons as his Majeſtie ſhall appoint to receive the ſame, And ſhall take no fee or reward for execution of the ſaid office, from any other perſon then from his Majeſty,

Majeſty, or thoſe whom his Majeſty ſhall appoint in that behalf.

XIX. *London, Weſtminſter, Southwark,* and Pariſhes under the bills of Mortality ſhall be under the goverment of the head office, and be open at certain times of the day.

XX. The General iſſue may be pleaded in any action brought, againſt perſons doing any thing in execution of this Statute, and the defendant upon nonſuit or verdict for the the defendant to return double coſts.

XXI. Writs of *raciorari* ſhall ſuperſede no proceedings.

See Accompt, num. XI.

XXII. See **Stat.** 1. 5 *Car.* 2. *cap.* 12. *Stat.* 3. An additional Act for better ordering and collecting the duty of Exciſe, and preventing the abuſes therein, and *Stat.* 15 *Car.* 2. *cap.* 13 *Stat.* 3. An explanation Act for recovery of the Areares of Exciſe not pardoned by the Act of Oblivion.

XXIII. **Stat.** 16. 17 *Car.* 2. *cap.* 4. After the 8 of *November* 1665 all Farmers of Exciſe or any of them within their reſpective deviſions may uſe and put in execution all ſuch powers as Commiſſioners or Sub-commiſſioners of Exciſe may by ſeveral Statutes for Exciſe, for the levying the ſame. Except the judicial part for determining offences, and impoſing or mitigating or compounding fines, or penalties.

Excommunication.

I. *Sententia lata ſuper Chartas* 38 *H.* 3. *Vide Raſt. Excom.* 1. In the year 1254, by the concent and in the preſence of the King, the Lords and other eſtates of the Realm. *Boniface* Arch-biſhop of *Canterbury*, and all the other Biſhops then preſent being apparelled in Pontificals with tapers burning, do in *Weſtminſter* hall ſolemnly denounce a heavy curſe and Excommunication againſt all ſuch as ſhall violate or break the liberties of the Church, or Cuſtoms and Liberties of the Realm, and eſpecially contained in *Mag. Char.* and *Cart. de Foreſta.*

II. *Articuli Cler.* 7. 9 *E.* 2. The King's letters, that Ordinaries ſhall abſolve excommunicate perſons, ſhall not iſſue forth any more, unleſs it be found that the King's liberty is prejudiced by ſuch Excommunication.

III. *Articuli Cler.* 12 9 *E.* 2. The writ of *Excommunicato capiendo* ſhall not be denyed for the priviledge of being of the King's tenure, and that the party ought not to be cited out of their Pariſh.

IV.

IV. **Stat.** 9 *E.* 3. Writs are ordained for the Biſhops to excommunicate all perturbers of the peace of the Church and King, felons, maintainers and conſpirators of felonies, falſe Jurors, and maintainers of falſe quarrels, every Sunday and double feaſts, &c. in all Cathedral and other Churches, and to proceed againſt them according to the Canon Laws. *Vide Raſt. Abridg. Edit. prom.*

Excommunicato capiendo.

I. **Stat.** 5 *El.* 23. Every writ *de Excommunicato capiendo* ſhall be made in Term-time, and returnable in the King's Bench the next Term after the *teſte* thereof, having 20 days betwixt the *teſte* and return.

II. After the writ ſhall be ſealed, it ſhall be forthwith brought into the King's Bench, and there opened and delivered of record to the Sheriff or other Officer, or their Deputies, to whom the execution thereof appertains; and then if the Sheriff or other Officer do not duly execute it, the Juſtices there ſhall amerce him at their diſcretion, and eſtreat the amerciament into the Exchequer.

III. At the return of the writ the Sheriff, or, &c. ſhall not be compelled to bring the party arreſted in the King's Bench, but onely return the writ with a ſhort declaration how it was executed, to the end the Juſtices may proceed therein, according to the tenor of this Act.

IV. If the Sheriff, or, &c. return a *Non eſt inventus*, then ſhall iſſue out of the King's Bench, a *Capias* returnable in Term-time two moneths (at leaſt) after the *teſte* thereof, with a Proclamation to be made ten days (at leaſt) before the return at the County-Court, Aſſize, Gaol-delivery, or Seſſions, that the party ſhall within ſix days after ſuch proclamation yield his body to the Gaole, and there remain as a Priſoner, in pain of 10 l. And what ſhall be done therein and thereupon ſhall be returned by the Sheriff, or, &c.

V. If upon the return it appear that the party hath not rendred himſelf priſoner upon the firſt *Capias* he ſhall forfeit 10 l. more to be eſtreated, as aforeſaid; and then a ſecond *Capias* ſhall be awarded againſt him with proclamation, as before, and a pain to forfeit 20 l. whereupon if he do not render himſelf priſoner, he ſhall forfeit 20 l. to be eſtreated by the Juſtices, as aforeſaid; And then a third *Capias* ſhall be awarded, with like proclamation and pain; and then a fourth, and ſo infinitely, untill he render himſelf priſoner upon the ſeveral returns, whereof he ſhall forfeit 20 l. to be eſtreated, as aforeſaid,

VI. The party yielding his body ſhall be committed to priſon in like ſort, as if he had been taken upon the *Excom. cap.*

VII. If the Sheriff, &c. makes a falſe return upon any of the ſaid writs, he ſhall forfeit to the party grieved 40 l.

VIII. The Biſhops authority to receeive ſubmiſſion and deliver the excommunicate is ſaved, according to the former uſage, *viz.* by a certificate thereof into the Chancery from the Biſhop, and then a writ from thence to deliver the priſoner.

IX. In *Wales*, the Counties Palatines of *Lancaſter*, *Cheſter*, *Durram*, and *Ely*, and in the Cinque-ports (being Juriſdictions exempt where the Queen's writ runneth not) a *Significavit* (being of Record in Chancery) ſhall be ſent by *Mittimus* to the Juſtices or head-officers there, who ſhall then proceed againſt the excommunicate, as the King's Bench is above directed.

X. Perſons in perſon, beyond ſea, under age, of *non ſane* memory, or Covert ſhall not incur the penalties aforeſaid.

XI. If in the *Excom. cap.* the excommunicate have not a ſufficient addition according to the Statute of 1 *H.* 5. 5. Or if in the *Significavit* it be not contained, that the excommunication proceeds upon ſome cauſe or contempt of ſome original matter of hereſie, refuſing to have his child baptized, to receive the Sacrament, to come to Divine Service, or errour in matters of Religion or Doctrine, Incontinency, Uſury, Simony, Perjury in the Eccleſiaſtical Court, or Idolatry, he ſhall not incur the penalties aforeſaid.

XII. If the addition be with a *Nuper* of a place, the firſt *Capias* and proclamation ſhall iſſue forth without any penalty; and in ſuch caſe alſo, if the party be proclaimed in a County where he is not for the moſt part reſiant, he ſhall not incur the forfeitures aforeſaid.

Execution.

I. Stat. 2. 18. 13 *E.* 1. He that recovereth debt or damages in the King's Court may at his choiſe have a *fieri facias* of the land and chattels of the debtor, or a Writ for the Sheriff to deliver him all the chattels of the debtor (except Oxen and Plough-beaſts) and the moiety of his land by a reaſonable extent till the debt be levied: and if he be ejected out of the land he ſhall have an Aſſize, and afterward a writ of diſſeiſin, if need be; And this laſt writ is called an *Elegit.*

II. Stat. 2. 45. 13 *E.* 1. For all things recorded before the King's Juſtices, or contained in fines (whether Contracts, Covenants, Obligations, Services, for Cuſtoms acknowledged, or any other things inrolled)

inrolled) a writ of execution ſhall be within the year: But after the year a *Scire facias*; whereupon if ſatisfaction be not made, of good cauſe ſhewed, the Sheriff ſhall be commanded to do execution.

III. In like manner alſo ſhall the Ordinary be commanded in his caſe: Howbeit as concerning a Meſne, which by recognizance or judgment is bound to acquit, what is ſaid is before (*which ſee in Meſne* 1.) muſt be obſerved.

IV. **Stat.** 32 *H.* 8. 5. If lands delivered in execution on juſt cauſe be recovered without fraud from the tenant in execution before he ſhall have levied or received his whole debt and damages, he may have a *Scire facias* out of the Court from whence he had the execution returnable into the ſame Court at a day, (40 days at leaſt) after the date of ſuch *Scire facias*; At which day, if the defendant being lawfully warned make default, or do appear, and do not plead a ſufficient cauſe (other then the former acceptance of the lands to avoid the ſaid ſuit for the reſidue of the ſaid debt and damages, the ſaid Court ſhall iſſue forth a new writ of execution for the levying thereof.

V. **Stat.** 1 *Ja.* 13. If any taken in execution be delivered by priviledge of Parliament, as ſoon as ſuch priviledge ceaſeth, the Plaintiff, his executors or adminiſtrators may ſue out a new execution againſt him; and the Sheriff or other Officer ſhall not be chargeable for the firſt arreſt.

VI. This Act ſhall not leſſen the puniſhment of any by cenſure of Parliament, who ſhall preſume to procure ſuch an arreſt.

VII. **Stat.** 3 *Jac.* 8. No execution ſhall be ſtayed upon any writ of Errour or *Superſedeas* thereupon, for the reverſing of a judgment in any action of debt, or upon any contract in the Courts at *Weſtm.* of the Counties Palatine of *Lancaſter* and *Cheſter*, or of the great Seſſions in *Wales*, unleſs the Plaintiff with two ſufficient ſureties (ſuch as the Court ſhall like of) ſhall firſt be bound to the party (for whom ſuch judgment is given) by recognizance in the ſame Court, in double the ſumme adjudged, to proſecute the ſaid writ of errour with effect, and to pay (if the judgment be affirmed) all debts, damages and coſts ſo adjudged, and all coſts and damages for delaying of execution by the writ of errour.

VIII. **Stat.** 21 *Jac.* 24. The party or parties, at whoſe ſuit any perſon ſhall ſtand charged in execution for debt or damages recovered, their executors or adminiſtrators may after the death of the perſon ſo charged in execution, lawfully ſue forth new execution againſt the lands and tenements, goods and chattels of the perſon ſo deceaſed, in like manner as if the perſon deceaſed had

had never been taken in execution. Howbeit, this Act ſhall not extend to lands ſold *bonâ fide*, (after the Judgment given) when the money raiſed thereupon is paid or ſecured to be paid to Creditors in diſcharge of due debts.

IX. For further remedy againſt the inconvenience of ſtaying Execution, after judgment, in part provided againſt by the *Stat.* 3 *Jac. cap.* 8. no Execution ſhall be ſtayed in any of the ſaid Courts by writ of Errour or Superſedeas after Verdict and Judgment in action of debt upon the *Stat.* 2 *E.* 6. for tithes, promiſe for payment of money, Trover, Covent, Detinue or Treſpaſs, unleſs ſuch recogniſance in the ſame Court be firſt entred as directed by the ſaid Statute: And if Judgment be affirmed the party preſenting ſuch writ or error ſhall pay double coſt for ſuch delay.

X. *Proviſo*, this Act not to extend to any popular action, except *Stat.* 2 *E.* 6. for tithes, nor to any Indictment, Information, Inquiſition, or Appeal.

XI. **Stat.** 16. & 17 *Car.* 2. *cap.* 8. After a Verdict of 12 men in any action, ſuit, bill or demand, comenced after the 25 of *March* 1665 in any the Courts of Record at *Weſtminſter*, or Courts of Record in the County Palatine of *Cheſter*, *Lancaſter*, or *Durram*, or Courts of the Great Seſſion, or in any of the 12 Shires of *Wales*, Judgment thereupon ſhall not be ſtayed or reverſed, for default in form, or lack of form, or lack of pledges, or but one pledge to proſecute returned upon the original writ, or for default of entring of pledges upon any Bill or declaration, or for default of bringing into Court of any Bond, Bill, Indenture, or other deed whatſoever mentioned in the declaration or other pleading, or for default of allegation of the bringing into Court of letters Teſtamentary, or letters of Adminiſtration, or by the reaſon of the omiſſion of 6, &c. *armis* or *Contra pacem*, or for miſtaking of the Chriſtian-name or Sur-name, of the Plaintiff or Defendant, Demandant or Tenant, ſumme or ſummes of money, day, moneth or year by the Clerk in any Bill, Declaration, or Pleading, where the right name, Sur-name, ſumme, day, moneth or year, in any Writ, Plaint, Roll, or Record proceeding, or in the ſame Roll or Record where the miſtake is committed, is rightly alledged, whereunto the Plaintiff might have demurred and ſhewn the ſame for cauſe: Nor for want of the averment of *Hoc paratus eſt verificare*, or *Hoc paratus eſt verificare per Recordum*, or for not alledging *Prout patet per Recordum*, or for that there is no right venue, ſo as the cauſe were tried by a Jury of the proper County, or place where the action is laid.

XII.

XII. Nor any Judgment after verdict, confeſſion by *cognovit actionem*, or *relicta verificatione*, ſhall be reverſed for want of *Miſerecordia*, or *Capiatur*, or by reaſon that a *Capiatur* is entred for a *Miſerecordia*, or a *Miſerecordia* for a *Capiatur*: Nor that *Ideo conceſſum eſt per Curiam* is entred for *Ideo conſideratum eſt per Curiam*; nor for that encreaſe of coſts after a *verdit* in any action, or upon a nonſuit in *Replevin* are not entred to be at the requeſt of the party for whom the Judgment is given; nor by reaſon that the coſts in any whatſoever are not entred to be by conſent of the Plaintiff: But that all ſuch omiſſions, variances, defects and other matters of like nature, not being againſt the right of the matter of the ſuits, nor whereby the iſſue or tryall are altered, ſhall be amended by the Juſtices and other Judges of the Courts where ſuch Judgments are or ſhall be give, or whereupon the Record is or ſhall be removed by writ of Errour.

Provided this Act extend not to any Writ, Declaration, or ſuit of Appeal of Felony or Murther, nor any indictment or preſentment, Felony, Murther, Treaſon, or other matter, nor to any proceſs upon any of them, nor to any Writ, Bill, Action or information upon any penal Statute, other then concerning Cuſtomes and Subſedies of Tunnage and Poundage.

XIII. And after the 20 of *March* 1664. No Execution ſhall be ſtayed in any of the aforeſaid Courts by writ of Errour or Superſedeas thereupon, after verdict and judgment, in any action perſonal whatſoever, unleſs a recognizance with condition, according to the former Statute made 3 *Jacob. cap.* 8. ſhall be firſt acknowledged in the Court where ſuch judgment ſhall be given.

XIV. In writs of Errour to be brought upon any judgment after verdict in any writ of Dower, or of *Ejectione firmæ* no Execution ſhall be ſtayed, unleſs the Plaintiff in ſuch writ or Errour ſhall be bound unto the Plaintiff in ſuch writ of Dower of *Ejectione firmæ*, in ſuch reaſonable ſumme as the Court to which ſuch writ of Errour ſhall be directed ſhall think fit with condition that if the judgment ſhall be affirmed in the ſaid writ of Errour, or the writ of Errour diſcontinued in the default of Plaintiff therein, or that the ſaid Plaintiff be nonſuit in ſuch writ of Errour, that then the Plaintiff ſhall pay ſuch coſts, damages, and ſummes of money as ſhall be awarded, after ſuch judgment affirmed, diſcontinuance, or nonſuit. And the Court wherein ſuch execution ought to be granted, upon ſuch affirmation, diſcontinuance or nonſuit, ſhall iſſue a writ to enquire, as well of the mean profits, as of the damages by any waſte committed after the firſt judgment in Dower,

or *Ejectione firmæ*: And upon return thereof Judgment ſhall be given, and Execution awarded for ſuch mean profits, and damages, and for coſts of ſuit.

Provided, this Act extend not to any writ of error to be brought by any Executor or Adminiſtrator, nor any action popular, nor to any other action which is or ſhall be brought upon any penal Law or Statute (except actions of debt for not ſetting forth of tithes) nor to any Indictment, Preſentment, Inquiſition, Information, or Appeal.

This Act to continue in force for 3 years, and to the end of the next Seſſion of Parliament, after the ſaid 3 years, and no longer.

Execution of Statutes.

I. **Stat.** 3 *H.* 7. 1. The Lord Chancellor, Treaſurer, and Privy Seal, or any two of them, calling to them a Biſhop, a Lord of the Council, and the two chief Juſtices (or two other Juſtices in their abſence) upon bill of information put to the Chancellor, for the King or any other for maintenance, retainers, embraceries, untrue demeanings of Sheriffs, taking of money by Juries, great Riots, or unlawful aſſemblies, have authority to call before them by writ, or privy Seal the ſaid miſ-doers, and them and others to examine, and to puniſh them according to the Statutes in that behalf made in like manner as if they were convict by due order of Law.

II. **Stat.** 21 *H.* 8. 90. The Preſident of the King's Council ſhall be aſſociate with the Lord Chancellor, &c. for the examination and puniſhment of the miſ-doers aforeſaid, according to the ſaid Statute of 3 *H.* 7. 1. and other Statutes thereof made.

Executors.

I. **Weſt.** 2. 23. 13 *E.* 1. Executors ſhall have a Writ of accompt, and like action and proceſs in the ſame Writ, as their teſtator ſhould if he had lived.

II. **Stat.** 4 *E.* 3. 7. Executors ſhall have an action for a treſpaſs done to their teſtator as for his goods and chattels carried away in his life, and ſhall recover their damage, in like manner as he, whoſe executors, they ſhall have done, if he had lived.

III. **Stat.** 9 *E.* 3. *Stat.* 1. 3. In a writ of debt brought againſt executors, they ſhall have but one Eſſoin amongſt them all before apparence, and another after, ſo that they ſhall not fourch by eſſoin.

IV.

IV. Here, though the Sheriff upon the Summons return *nihil*, yet an attachment ſhall be awarded, and upon *nihil* alſo returned thereupon the great diſtreſs, and then he or they that appear ſhall anſwer.

V. Albeit ſome of them after apparence make default at the return of the great diſtreſs, yet ſhall he or they be put to anſwer, that firſt appeared at the great diſtreſs ſo returned.

VI. If judgment paſs for the Plaintiff, he ſhall have judgment and execution againſt them that have pleaded, and againſt all others named in the Writ, of the Teſtators goods, as well as if they had all pleaded.

VII. Any may ſue in this caſe according to the law formerly uſed (if he pleaſe) notwithſtanding this Statute.

VIII. **Stat.** 25 *E.* 3. *Stat.* 5. 5. Executors of Executors ſhall have actions of debt, account, and of goods carried away of the firſt teſtators; and execution of Statute-merchants and Recognizances made unto him, and ſhall alſo anſwer to others ſo far forth as they ſhall recover of the firſt teſtators goods, as the firſt executors ſhould have done.

IX. **Stat.** 33 *H.* 6. 1. Where ſervants after the death of their Lords or Maſters do imbezil their goods, after full information thereof made to the Lord Chancellor by the executors or two of them of ſuch ſpoil made, the ſaid Lord Chancellor by advice of the two chief Juſtices and chief Baron, or two of them ſhall have power to make ſuch writs to be directed to ſuch Sheriffs, as to them ſhall ſeem fit, to make proclamation in ſuch places within twelve days after delivery of the ſaid writs, as to the ſaid Chancellor by the advice aforeſaid ſhall ſeem reaſonable, that the offenders appear in the King's Bench at the day limited in the Writ, which Proclamation ſhall be made 15 days before the day apparence, when if the offendor appear not, he ſhall be attainted of felony.

X. If the party appear, the Juſtices ſhall commit him to priſon, there to remain, until he hath anſwered the executors in their actions, and the ſame actions be determined, provided, that they be purſued with effect, and not ſlackly.

XI. The offender may be bailed by the Juſtices of that Bench, procuring two ſufficient perſons to be bound with them to the executors by recognizance in the ſame Court, to keep ſuch day, as he ſhall have by the ſame Court.

XII. The Gaoler ſhall not let them go at liberty without the Juſtices order, in pain of 40 l.

XIII. **Stat.** 21 *H.* 8. 4. That part of the executors which take upon them the charge of a Will may ſell any land deviſed by the

teſtator to be ſold, albeit the other part, which refuſe, will not joyn with them.

XIV. **Stat.** 43 *El.* 8. If any perſon ſhall obtain any goods or debts of an Inteſtatee, or releaſes or other diſcharge of any debt or duty, (which belonged to the Inteſtatee) by fraud (as by procuring the adminiſtration to be granted to a ſtranger of mean eſtate, and not to be found, with intent thereby to obtain the Inteſtatee's eſtate) and not upon valuable conſideration, or in ſatisfaction of ſome juſt debt anſwerable to the value of the goods ſo obtained, in ſuch caſe ſuch perſon ſhall be chargeable as executor of his own wrong, ſo far as the value of the goods or debts ſo obtained ſhall amount unto: Howbeit he ſhall alſo be allowed ſuch reaſonable deductions, as other Executors or Adminiſtrators ought to have.

Exigent and Utlawry.

I. **Stat.** 5 *E.* 3. 12. Where the Plaintiff recovers damages, and the Defendant is thereupon outlawed, no pardon ſhall be granted, except the Chancellor be certified, that the Plaintiff is ſatisfied his damages.

II. Where one is outlawed by proceſſes before apparence, no pardon ſhall be granted, except the Chancellor be certified, that the perſon is outlawed hath yielded himſelf to Priſon before the Juſtices of the place, from whence the *Exigent* iſſued.

III. If the outlawry happen to be before the Juſtices of *Oyer* and *Terminer* and thoſe Juſtices be riſen before he yield himſelf before them, in that caſe he ſhall do it in the King's Bench. And then the record thereof being removed thither by writ, a *Scire facias* ſhall iſſue to the Plaintiff to warn him to appear at a certain day, at which if the warning be duly executed, and the Plaintiff appear, then ſhall they plead upon the firſt original, as though no outlawry had been; but if he come not, the outlawed perſon ſhall be delivered by his Charter; and note that all ſuch Charters are of the King's grace as before they have been.

IV. **Stat.** 5 *E.* 13. If any will defeat an Outlawry by reaſon of impriſonment teſtified by the Sheriff, or others having no record let the party yield himſelf to priſon, and then the Juſtices ſhall cauſe the Plaintiff to appear at a certain day, at which day the averment of ſuch outlawed perſon ſhall be received, and ſo alſo ſhall the King's Counſel or proſecutor have their averment againſt ſuch teſtimony.

V. **Stat.** 18 *E.* 3 *Stat.* 1. *Exigents* are to be awarded againſt Receivers of the King's money or woll, which detain the ſame, and againſt

againſt ſuch as tranſport wool not cocketed or cuſtomed, confederators and conſpirators of quarrels, riotors, and ſuch as bring in falſe money, if they cannot be found or brought in by attachment or diſtreſs, and not againſt any other.

VI. **Stat.** 18 *E.* 3. *Stat.* 2. 5. No *Exigent* ſhall go forth againſt one indicted for treſpaſs, unleſs it be againſt the Peace, or of the things contained in 18 *E.* 3. *Stat.* 1.

VII. **Stat.** 6 *H.* 8. 4. In perſonal actions, if the defendant is ſued in a County where he dwells not; and an *Exigent* awarded thereupon, no outlawry ſhall be had before a writ of Proclamation be alſo awarded, and returned by the Sheriff of the County, where the Defendant is or lately was dwelling, and if the Defendant dwell in the place where the King's Writ runneth not, it ſhall be directed to the Sheriff of the County next adjoyning thereunto.

VIII. By this Writ the Sheriff ſhall make three Proclamations at three ſeveral days, viz. twice in full County, and once at the general Seſſions, that the defendant ſhall yield himſelf unto him; and it ſhall have the ſame day of return with the *Exigent.*

IX. This Writ ſhall be delivered of record to the Sheriff or his Deputy, who ſhall duly execute the ſame, in pain of amerciament, and the officer that makes the *Exigent* ſhall alſo make the writ of Proclamation, for which his fee is 6 d.

X. All outlawries otherwiſe obtained are *null*, and may be voided by averment without ſuing of any writ of errour.

XI. **Stat.** 1 *E.* 6. 10. The Statute of 6 *H.* 8. 4. ſhall be obſerved in *Wales* and in the County and City of *Cheſter*, as well as in other parts of the Realm of *England.*

XII. The Sheriff of *Wales*, and of *Cheſhire* and *Cheſter* ſhall have Deputies in the King's Bench and Common Place, as other Sheriffs have, and upon like penalties.

XIII. All proceſſes againſt any outlawed perſon in *Wales* ſhall be directed to the Sheriffs in *Wales* as immediate officers to the King's Bench and Common Pleas, and may be delivered of Record to their ſaid Deputies in Court, and ſhall be duly executed and returned by thoſe Sheriffs upon the pain above limited, who ſhall alſo for a falſe or non-return forfeit 5 l. to be divided betwixt the King and the proſecutor.

XIV. This Act ſhall not infringe any franchiſes and liberties in *Wales*, otherwiſe then by the true meaning thereof is provided: Nor yet of any Lord Marcher there, but that they and their heirs may injoy the ſame liberties as before.

VX.

XV. **Stat.** 5 & 6 *E.* 6. 26. The like Statute is made for the County Palatine of *Lancaſter*: ſave onely, that all proceſſes againſt any outlawed perſon there, ſhall be firſt directed to the Chancellor of that Dutchey, who ſhall thereupon make like writs and proceſſes to be ſealed with that ſeal, and directed to the Sheriff of that County Palatine, as heretofore hath been uſed.

XVI. **Stat.** 31 *El.* 3. In every action perſonal where an *exigent* ſhall be awarded, a writ of proclamation ſhall be alſo awarded, and iſſue out of the ſame Court, of the ſame *teſte*, and return with the *exigent*, and ſhall be delivered of Record and directed to the Sheriff of the County, where the defendant at the time of the *exigent* was dwelling, and ſhall contain the effect of the ſame Action.

XVII. The Sheriff ſhall thereupon make three Proclamations, *viz.* one in a full County, another at the Seſſions, and the laſt (one moneth at leaſt before *Quinto exact.* by vertue of the ſaid *exigent*) at or near the Church or Chappel-door of the Pariſh where the defendant was dwelling at the time of awarding the ſame *exigent*, upon a Sunday after Divine ſervice and Sermon, or (in caſe there be no Sermon) after Divine ſervice: And if he dwell in no Pariſh, then in the Pariſh next adjoyning his place of abode; and all outlawries otherwiſe had ſhall be void.

XVIII. The officer for making the *exigent* and Proclamations, may take ſuch fees for the ſame, as are limited by the Statute of 6 *H.* 8. 4. and the Sheriff for making the Proclamation at the Church-door ſhall have 12d.

XIX. In real actions after ſummons upon the land (14 days at leaſt before the return thereof) Proclamation of the ſummons ſhall be made upon a Sunday in form aforeſaid, in the Pariſh where the land lies, which Proclamation ſhall be returned with the name of the ſummoners.

XX. If the ſummons be not ſo proclaimed, no *Grand cape* ſhall be awarded, but an *Alias* and *Pluries* ſummons, until a ſummons and Proclamation be duly made according to this Act.

XXI. Before allowance of a writ of errour or reverſing of an outlawry by plea or otherwiſe, the defendant in the original action ſhall put in bail, to appear and anſwer the Plaintiff, and alſo to ſatisfie the condemnation, if the Plaintiff begin his ſuit before the end of two terms next after the allowance of the ſaid writ, or avoiding the Outlawry.

☞ Extortion.

* I. **West.** 1 26. 3 *E.* 1. No Sheriff or other Officer of the King ſhall take any reward to do his office, but ſhall be paid by the King: and if they do ſo, he ſhall render the double, and be puniſhed at the King's will.

II. **West.** 1. 27. 3 *E.* 1. Clerks ſhall not commit extortion, in pain to loſe the ſervice of their Maſter for one year.

III. **West.** 1. 29. 3 *E.* 1. Officers, Cryers of fee, and Marſhals of Juſtices in *Eyre* ſhall not commit Extortion, in pain to render the treble, and to be otherwiſe puniſhed at the King's will.

IV. **Stat.** 28 *H.* 6. 5. Merchants being diſtrained or arreſted by Officers of the Cuſtom for undue charges and impoſitions, may have their general actions of treſpaſs againſt ſuch offenders, and ſhall in that caſe recover 40 l. dammages, if they purſue their actions within two moneths.

V. If they purſue them not within that time, any other may do it by Action of Treſpaſs alſo, wherein they ſhall alſo recover 40 l. dammages, to be divided betwixt the King and ſuch proſecutor.

Fairs and Markets.

I. THe Statute of *Wincheſter*, *cap.* 6. 13 *E.* 1. Fairs and Markets ſhall not be kept in Church-yards.

II. **Stat.** 2 *E.* 3. 15. No perſon ſhall keep a Fair longer then he ought to do, in pain to have it ſeized into the King's hand, until he have made fine for ſo doing.

III. Every Lord at the beginning of his Fair ſhall cry and publiſh how long it ſhall indure, in pain to be grievouſly puniſhed.

IV. **Stat.** 5 *E.* 3. 5. Merchants after the Fair ended ſhall cloſe their ſhops, and ſell no ware then after, in pain to forfeit to the King the double value of the ware ſo ſold, whereof the proſecutor ſhall have a fourth part.

V. **Stat.** 27 *H.* 6. 5. Fairs and Markets ſhall not be kept upon *Aſcention day*, *Corpus Chriſti*, *Whitſunday*, *Trinity-ſunday*, the Aſſumption of the Virgin *Mary*, *All-ſaints*, *Good-friday*, nor any Sundays

days (the four Sundays in Harveſt onely excepted) in pain to forfeit the wares ſo ſhewed to the Lord of the Franchiſe there.

VI. Howbeit they may be kept within 3 days next before or after the ſaid days, Proclamation thereof being made before-hand, which is to be certified without fine or fee to the King. And ſuch as have by ſpecial grant ſufficient days before or after the ſaid Feaſt, may keep them their full number.

VII. **Stat.** 17 *E.* 4. 2. No Steward of a Pipowder's Court ſhall hold plea upon any Action, unleſs the Plaintiff or his Attorney in the preſence of the defendant do firſt ſwear, that the matter of the Declaration was done within the juriſdiction and time of the Fair. And yet the defendant may nevertheleſs profer an iſſue againſt ſuch oath: and if it be tried, or the Plaintiff or his Attorney refuſe to ſwear, the defendant ſhall be diſcharged.

VIII. If any ſuch Steward do contrary to this Act, he ſhall forfeit five pounds, to be divided betwixt the King and the proſecutor.

IX. This Act ſhall not prejudice the liberties of the Biſhop of *Dureſm.*

X. **Stat.** 1 *R.* 3. 6. The Statute of 17 *E.* 4. 2. is made perpetual.

XI. **Stat.** 3 *H.* 7. 9. Upon an Ordinance made by the City of *London*, to prohibit Citizens to carry their wares, to Fairs and Markets out of the City, this Act gives them liberty, and makes that Ordinance void, and none ſhall trouble any Citizen for ſo doing, in pain of 40 l. to be divided betwixt the King and the proſecutor.

* XII. **Stat.** 2. 3 *P. M.* 7. Every owner of a Fair or Market ſhall appoint a Toll-taker, (where Toll is taken) or a Book-keeper where no Toll is paid) to ſit there from ten of the clock in the fore-noon till Sun-ſet, in pain of 40 s. for every default.

XIII. The Toll-taker or Book-keeper ſhall (within one day after) deliver unto the ſaid owner, a note of all the Horſes ſold there that day, in pain of 40 s. which note the owner ſhall ſubſcribe, in like pain of 40 s.

XIV. Sale of a ſtoln Horſe in a Fair or Market without entry in the Book, as aforeſaid, and without ſtaying there in open view by the ſpace of an hour, at leaſt, betwixt 10 of the clock and Sun-ſet ſhall not alter the property of the right owner; but that he may by vertue of this Act, ſeize or replevy him, whereſoever he finds him.

XV. ☞ Juſtices of Peace in Seſſions have power to hear & determine

mine the breach of this Statute; and the forfeitures ſhall be divided betwixt the King and Queen's Majeſties and the Proſecutor.

XVI. Where no Toll is due, the Book-keeper's fee for entring every contract is 1 d. and no more.

XVII. **Stat.** 31 *El.* 12. Every ſeller or exchanger of an horſe in a Fair or Market, which being unknown to the Toll-taker or Book-keeper, doth not procure one credible perſon, that is well known unto him, to vouch the ſale of the ſame horſe; alſo every falſe voucher, and the Toll-taker or Book-keeper that ſuffers ſuch ſale or exchange to paſs, ſhall forfeit 5 l. to be divided betwixt the Queen and the proſecutor. And beſides, the ſale of ſuch horſe ſhall be void.

XVIII. The names of the buyer, ſeller and voucher, and the price of the horſe ſhall be entred in the Toll-book, and a note thereof delivered to the buyer under the Toll-takers or Book-keepers hand, for which the buyer ſhall pay 2 d.

XIX. Juſtices of Peace in Seſſions have power to hear and determine theſe offences.

XX. Notwithſtanding ſuch ſale and voucher, as aforeſaid, the right owner or his executors may redeem a ſtoln horſe, if they claim him within ſix moneths after the Stealing at the Pariſh or Corporation where he ſhall find him, and make proof by two ſufficient witneſſes before the next Juſtice of Peace in the Country, or before the Head-officer of a Corporation, that the horſe was his, and repay to the buyer ſuch price for the horſe, as the ſame buyer ſhall upon his own oath, before ſuch Juſtice or Officer, teſtifie to have paid for him.

XXI. An acceſſary of an horſe-ſtealer ſhall not have his Clergy.

False Judgment.

I. **Warlbridge,** 20. 52 *H.* 3. None but the King ſhall hold plea of falſe judgment.

II. **Stat.** 1 *E.* 3. 4. If againſt a Record brought into the King's Court by writ of falſe judgment, the party alledgeth that the Record is otherwiſe then the Court did record the ſame, it ſhall be tried by thoſe of the Countrey who were peſent when the Record was made, but if they appear not upon the Sheriff's return of them with others, it may be tryed by other good men of the Country.

Fees

Fees.

I. **West.** 2. 42. 13 *E.* 1. Several ancient fees of Marſhals, Chamberlains, Porters of Juſtices in *Eyre*, and Serjeants bearing verge before the Juſtices at *Weſtminſter*. *See the Statute.*

II. **West.** 2. 44. 13 *E.* 1. Porters bearing verge before the Juſtices of the Bench in the Circuit ſhall take for keeping a Jury onely 10 d. for the Bills nothing: Upon a recovery without a Jury nothing, upon a Recovery againſt many by one writ 4 d. for homage done in the Bench they ſhall have their upper garment. Of great Aſſizes, Attaints, Juries, and Battel waged, the fee is 12 d. For the pleas of the Crown, the fee is 12 d. the dozen. For every priſoner delivered 4 d. The Chirographer's fee is 4 s. The Clerk's fee for writing Originals is for every writ 1 d. *See the Statute.*

Feoffments.

I. **Stat.** 1 *R.* 2. 9. Every gift of Feoffment of Lands made by fraud or maintenance ſhall be void; and the diſſeiſee (notwithſtanding ſuch alienation) ſhall recover againſt the firſt diſſeiſor both his land and double dammages; provided he commence his ſuit within a year after the diſſeiſin, and that ſuch feoffor be then Pernor of the profits.

II. **Stat.** 4 *H.* 4. 7. The diſſeiſee ſhall have his action againſt the firſt diſſeiſor, during the life of the ſame diſſeiſor, ſo as ſuch diſſeiſor be alſo Pernor of the profits at the time of ſuch ſuit commenced, but as to other Writs in plea of Land, the Demandant ſhall commence his ſuit within the year againſt him that is Tenant of the free-hold, as the time of the Action accrued to him, ſo as ſuch tenant be alſo Pernor of the profits at the time of ſuch ſuit commenced; notwithſtanding the Statute of 1 *R.* 2. 9.

III. **Stat.** 11 *H.* 6. 3. In all writs grounded upon *Novel diſſeiſin*, Diſſeiſees may have recoveries againſt the diſſeiſors of their feoffees, as well as in Aſſize of *Novel diſſeiſin*, ſo as ſuch diſſeiſors or their feoffees, againſt whom the writ is brought, be Pernors of the profits at the time of the Writ purchaſed, notwithſtanding any gifts or feoffments made to other perſons to delay the demandants.

☞ Felony.

☞ Felony.

I. **Weſt.** 1. 12. 3 *E.* 1. Notorious felons which refuſe lawful trial ſhall ſuffer ſtrong and hard impriſonment.

II. **Stat.** Of breaking priſon 1 *E.* 2. it ſhall be felony for any perſon to break priſon, being in for felony, otherwiſe not.

III. **Stat.** 5 *H.* 4. 4. It is felony to multiply gold or ſilver.

IV. **Stat.** 5 *H.* 4. 5. It is felony maliciouſly to cut out the tongue or put out the eys of any of the King's Subjects.

V. **Stat.** 1 *H.* 7. 7. If any ſhall hunt within Forreſts, Parks, or Warrens in the night-time or diſguiſed, one of the King's Council or a Juſtice of Peace to whom information thereof ſhall be made, ſhall by his warrant cauſe the offendor to be brought before himſelf, or ſome other Councellor or Juſtice of Peace to be examined, where if he conceal the fact ſuch hunting ſhall be deemed felony, but being confeſſed, the offence is onely finable at the next general Seſſions. And here a reſcouſe of the execution of any ſuch warrant ſhall be alſo deemed felony.

VI. **Stat.** 3 *H.* 7. 2. It is felony to carry away a woman, wife, widow or maid, againſt her will, having lands or goods, or being heir apparent to her Anceſtors: And the procurors, abettors and receivers in ſuch an offence ſhall be alſo deemed principal felons: Howbeit this ſhall not extend to any that takes a woman, claiming her as his ward or bond-woman.

VII. **Stat.** 3 *H.* 7. 14. It is felony for any of the King's ſervants ſworn, to conſpire the deſtroying of the King, any Lord Privy-Councellor ſworn, Steward, Treaſurer or Controller of the King's houſhold, being thereof convicted by 12 of the ſaid Houſhold before the ſaid Steward, Treaſurer and Controller, or two of them, who have power to determine the matter according to law.

VIII. **Stat.** 21 *H.* 8. 7. Servants that go away with or otherwiſe embezil their maſters or miſtreſſes goods to the value of 40 s. worth, with an intent to ſteal them (being put in truſt therewith) ſhall be puniſhed as felons: To continue till the next Parliament, *But ſee the Statute.*

IX. **Stat.** 22 *H.* 8. 11. It ſhall be felony to break down Powdike in *Marſhland* in *Norfolk*, or *Olafield* Dike by *Marſhland*, in the Iſle of *Ely*.

X. Juſtices of Peace there have power to hear and determine the ſaid offence.

XI. **Stat.** 25 *H.* 8. 6. Buggery is made felony, and the offen-

offender therein ſhall not have his Clergy.

XII. Juſtices of Peace have power to inquire of, hear and determine this offence.

XIII. This Statute was but to continue till the next Parliament, *Vide infrà.*

XIV. **Stat.** 1 *E.* 6. 12. Wilful killing, by poyſoning ſhall be adjudged Murther, and their Aiders, Abettors, Procurers, and Counſellors ſhall ſuffer death and forfeit, as in caſes of wilful Murther.

XV. All offences made felony by Statutes ſince 23 *April*, 1 *H.* 8. not being felony before are repealed: *Howbeit divers of them are revived by other Statutes made ſince that time.*

XVI. **Stat.** 1 *M. Seſſ.* 1. All offences made felony, or within the caſe of *Præmunire* by any Act ſince the firſt day of 1 *H.* 8. (not being felony, or within the caſe of *Præmunire* before) and every branch of ſuch Acts concerning the making of any offence felony, or within the caſe of *Pramunire*, (not being ſo before) and all pains and forfeitures concerning the ſame are repealed and made void: *But diverſe of thoſe Acts have been ſince revived, which ſee in their proper places.*

XVII. **Stat.** 5 *El.* 10. The Statute of 21 *H.* 8. 7. is revived and made perpetual.

VIII. **Stat.** 5 *El.* 17. The Statute of 21 *H.* 8. 6. is revived and made perpetual.

XIX. **Stat.** 43 *El.* 13. In the Counties of *Cumberland*, *Northumberland*, *Weſtmerland*, and the Biſhoprick of *Dureſm*, the carrying away or detaining of any perſon againſt his or her will, the aſſenting or ayding to any ſuch taking or detaining, the receiving or carrying of *Black Mail*, the giving of *Black Mail* for protection or the burning of Barns, or Stacks of Grain, ſhall be adjudged felony without Clergy, which the Juſtces of Aſſize, Gaol-delivery and Peace, have power to hear and determine.

XX. The names of perſons outlawed there for felony ſhall be delivered by the Clerks of the Peace, to all Sheriffs, Mayors, and other head officers to be proclamed throwout all the ſaid Counties: and with them none ſhall have converſe, in pain to ſuffer 6 moneths impriſonment, and not to be inlarged, till ſurety be given for the good behaviour, during one whole year after ſuch impriſonment.

XXI. Juſtices of Aſſize, Gaol delivery, *Oyer* and *Terminer*, and of Peace, have power to puniſh the negligence of officers in this behalf.

XXII. This Act ſhall not impeach the authoriy of the Lord Wardens of Marches.

XXIII

XXIII. **Stat.** 21 *Jac.* 26. It is felony without benefit of Clergy, to acknowledge or procure to be acknowledged, any Fine, Recovery, Deed enrolled, Statute, Recognizance, Bail, or Judgment in the name of any perſon not privy or conſenting thereunto; Howbeit this offence ſhall not corrupt the bloud, nor take away dower; neither ſhall it extend to judgment acknowledged by an Attorney of record for another perſon.

Fens, *See* Marſhes.

☞ Feſants and Partridges.

* I. **Stat.** 11 *H.* 7. 17. None ſhall take Feſants or Partridges with engines in another's ground without licence, in pain of 10 l. to be divided betwixt the owner of the ground and the proſecutor.

II. None ſhall take out of the neſt any eggs of Faulcon, Goſhawk, Lanner or Swan, in pain of a year and a days impriſonment, and to incur a fine at the King's pleaſure, to be divided betwixt the King and the owner of the ground, where the eggs ſhall be ſo taken.

III. None ſhall bear any Hawk of Engliſh breed called an Eyeſſe, Goſhawk, Taſſel, Lanner, Lanneret or Faulcon, in pain to forfeit the ſame to the King.

IV. He that brings an Eyeſſe Hawk from beyond the Sea, ſhall have a Certificate under the Cuſtomer's Seal where he lands, or if out of *Scotland*, then under the Seal of the Lord Warden or his Lieutenant, teſtifying that ſhe is a ferein Hawk, upon the like pain of forfeiting the Hawk.

V. None ſhall take, kill, or fear away any of the hawks aboveſaid from the Coverts, where they uſe to breed, in pain of 10 l. to be recovered before Juſtices of Peace, and divided betwixt the King and the proſecutor.

* ☞ VI. **Stat.** 23 *El.* 10. None ſhall kill or take any Feaſants or Partridges with any Net or Engine in the night-time, in pain to forfeit for every Feſant 20 s. and for every Partridge 10 s. which if the offender pay not within 10 days, he ſhall ſuffer one moneths impriſonment without bail, and enter into bond (for two years onely) with good ſureties before ſome Juſtices of Peace not to offend in the like kind.

VII. The forfeiture aforeſaid ſhall be recovered in any Court of Record, and divided betwixt the Lord of the Liberty or Mannor,

where the offence is committed, and the Proſecutor; but in caſe the Lord ſhall diſpence with the offender, the poor of the Pariſh are to have his moiety to be recovered by any of the Church-wardens.

VIII. None ſhall hawk or hunt with his Spaniels in ſtanding grain, or before it is ſtocked (except in his own ground or with the owners conſent) in pain to forfeit 40 s. to the owner of the ſaid ground to be recovered as aforeſaid.

IX. Juſtices of Aſſize, Juſtices of Peace in Seſſions, and (afterwards) Stewards in Leets have power to hear and determine theſe offences, and one Juſtice of Peace may examine ſuch an offender, and bind him over with good ſureties to anſwer it at the next general Seſſions, if the offence be not before determined at the Aſſizes or in a Leet.

X. This Act ſhall not reſtrain Fowlers, which unwillingly take Feſants or Partridges, and forthwith let them go at-large.

*XI. **Stat.** 1 *Jac.* 27. Every perſon convicted by his own confeſſion, or by two witneſſes upon oath, before two or more Juſtices of Peace to have killed or taken any Feſant, Partridge, Pigeon, Duck, Heron, Hare, or other game, or to have taken or deſtroyed the eggs of Feſants, Partridges or Swans, ſhall by the ſaid Juſtices be committed to Priſon without bail, unleſs he immediately pay to the uſe of the poor, where the offence was committed, or be apprehended 20 s. for every Fowl, Hare or Egg ſo killed, taken or deſtroyed; ☞ and after one moneth's commitment ſhall before two or more Juſtices of Peace be bound with two ſufficient ſureties in 20 l. a piece, with condition never to offend in the like kind again.

XII. Every perſon convicted, as aboveſaid, to keep a Grey-hound, Dog, or Net to kill or take Deer, Hare, Feſant or Partride, (unleſs he have inheritance of 10 l. *per annum*, a leaſe for life of 30 l. *per annum*, or be worth 200 l. in goods or otherwiſe be the ſon of a Baron or Knight, or heir apparent of an Eſquire) ſhall ſuffer impriſonment, as aforeſaid, unleſs he pay 40 s. to the uſe aboveſaid.

XIII. None ſhall ſell or buy to ſell again any Deer, Hare, Feſant or Partridge (except Feſants or Partridges by them reared up or brought from beyond Sea, in pain to forfeit for every Deer 40 s. Hare 10 s. Feſant 20 s. and Partridge 10 s. to be divided betwixt the proſecutor and the poor of the Pariſh where the offence is committed.

XIV. Juſtices of Aſſize, Juſtices of Peace in Seſſions, and two or

or more Juſtices of Peace out of Seſſions have power to hear and determine theſe offences.

XV. None ſhall by any former law ſuffer puniſhment for the ſame offences, for which he ſhall be puniſhed by this Law.

XVI. This Act ſhall not reſtrain one licenſed in open Seſſions to kill Hawk's meat; but then he ſhall there become bound by recognizance in 20 l. not to kill any of the games prohibited by this law, nor to ſhoot within 600 paces of an Hearnry, within 100 paces of a Pigeon-houſe, or in a Park, Forreſt or Chaſe, whereof his Maſter is not owner or keeper: and the Clerk of the Peace his fee for ſuch a licenſe is 12 d.

* XVII. **Stat.** 7 *Jac.* 11. Every perſon convicted by his own confeſſion, or by two witneſſes upon oath before two or more Juſtices of Peace to have hawked at or deſtroyed any Feſant or Partridge betwixt the firſt of *July* and the laſt of *Auguſt*, ſhall ſuffer one moneths impriſonment without bail, unleſs he forthwith pay to the uſe of the poor where the offence was committed, or be apprehended 40 s. for every time ſo hawking, and 20 s. for every Feſant or Partridge ſo deſtroyed or taken.

XVIII. He that ſhall be puniſhed by this Law, ſhall not be puniſhed again by any other law for the ſame offence.

XIX. This offence ſhall be proſecuted within ſix moneths after it ſhall be committed.

XX. It ſhall be lawful for the Lord of a Mannor or any having free Warren, inheritance of 40 l. *per annum*, free-hold of 80 l. *per annum*, or goods worth 400 l. or their ſervants (licenſed by them) to take Feſants or Partridges within their own grounds or Precinct: ſo they do it in the day time, and onely betwixt *Michaelmas* and *Chriſtmas*.

☞ XXI. If any of a mean condition ſhall be convicted by his own confeſſion, or by one witneſs upon oath before two or more Juſtices of Peace to have killed or taken any Feſant or Partridge, with dogs, nets, or engines, he ſhall by the ſaid Juſtices be committed to priſon without bail, unleſs he forthwith pay to the uſe of the poor where the offence was committed, 20 s. for every Feſant or Partridge ſo killed or taken: and alſo become bound before one or more Juſtices of Peace in a recognizance of 20 l. never to offend in the like kind again.

XXII. Every Conſtable or Headborough (upon a warrant under the hands of two or more Juſtices of Peace) hath power to ſearch the houſes of perſons ſuſpected to have any ſetting dogs or nets for the taking of Feſants or Partridges, and the dogs or nets there

found to kill and cut in pieces, at pleaſure, as things forfeited unto the ſaid officers.

☞ Fighting and Quarrelling.

* I. **Stat.** 5. 6 *E.* 6. 4. None ſhall uſe any chiding words in the Church or Church-yard, in pain of ſuſpenſion for ſo long time, as the Ordinary ſhall think fit, *viz.* of a Lay-man *ab ingreſſu Eccleſiæ*, and of a Clerk, *à Miniſterio officii.*

II. He that ſhall there ſmite or lay violent hands upon any one is thereby excommunicated *ipſo facto.*

III. He that is convicted of ſtriking with a weapon there (or of drawing it with an intent to ſtrike) before Juſtices of Aſſize, of *Oyer* and *Terminer*, or of Peace in Seſſions by verdict, his own confeſſion, or two lawful witneſſes, ſhall by judgment of the ſaid Juſtices have one of his ears cut off, and in caſe he wants ears, ſhall be burned upon the cheek with the letter F. and ſhall ſtand excommunicate *ipſo facto.*

Fines.

I. **Stat.** *de finibus*, 18 *E.* 1. *Stat.* 4. After the writ original is delivered in the preſence of the parties before the Juſtices, the pleader ſhall ſay, Sir Juſtice, *Conge de accorder*, Then the Juſtice, ſhall ſay, What ſaith Sir *R*? And when the King's fine is agreed for, and the peace cried, the Pleader ſhall declare the ſubſtance of the fine.

II. A final concord cannot be levied in the King's Court without writ original before four Juſtices in the Bench, or in *Eyre*, and it muſt alſo be in the preſence of the parties, who ought to be of full age, of good memory, and out of priſon; and if a feme covert be one, ſhe muſt be examined by four of the ſaid Juſtices, and if ſhe conſent not, the fine cannot be levied.

III. The reaſon of ſuch ſolemnity in the taking of a fine, is, becauſe it bars all perſons, of full age, out of priſon, of good memo- and within the four Seas, the day of the fine levied, if they make not their claim of their Action within a year and a day by the Countrey.

IV. **Stat.** *De finibus levatis*, 27 *E.* 1. *Stat.* 1. It ſhall be no good exception to a fine, that before or at the time of the fine levied, the demand of his anceſtors were ſeized of the land contained in the fine, or of ſome part thereof.

V. Fines ſhall be openly read at two certain days in the week by the

the diſcretion of the Juſtices, and in the mean time all Pleas ſhall ceaſe.

VI. The *Statute of Carlile*, 15 *E.* 2. In Pleas of *Warrantia Chartæ* covenant or other, whereupon fines are to be levied before the Juſtices of the Bench, as well the demandants as tenants (before ſuch fines paſs) ſhall appear perſonally, to the end their age, idiocy, and other defects (if any be) may be diſcerned.

VII. If the party be not able to come before the Juſtices in the Court, then two or one of them (by the aſſent of the reſt) ſhall go to the party and receive his Cognizance: and if but one go, he ſhall take with him an Abbot, Prior, or Knight being of good fame and credit.

VIII. The Commiſſioners that take the Cognizance, ſhall make certificate thereof to the Juſtices, to the end the fine may be lawfully levied according to the former Ordinance.

IX. Neither the Barons of the Exchequer, nor the Juſtices ſhall admit any Attorneys ſave onely in Pleas, that paſs before them, neither ſhall any of their Clerks or ſervants ſo do, and every admiſſion otherwiſe ſhall be void.

X. The authority of the Chancellor and of the chief Juſtices for admitting Attorneys (as hath been heretofore obſerved) is ſaved.

XI. **Stat.** 3 *E.* 34. 16. The plea of *Non claim* of fines ſhall be no bar hereafter.

XII. **Stat.** 38 *E.* 3. *ſtat.* 1. 3. Fines taken before the Juſtices ſhall be in the preſence of the pledges, who ſhall know the ſumm of their fine, before they depart.

XIII. **Stat.** 5 *H.* 4. 14. To prevent the dammages that may happen by the embeziling of the feet and notes of fines, all writs of Covenant, and other writs whereupon fines are levied, together with the *Dedimus poteſtatem*, (if any be) and all knowledges and notes of the ſame, before they be drawn out of the Common Bench by the *Chirographer*, ſhall be recorded in a Roll, to remain with the chief Clerk of that Court for the old fee of 22 pence uſually paid to him for entring the Concord, to the end that (in caſe any notes or fines be embeziled) the party may have recourſe to the ſaid Roll, to have execution thereof.

XIV. **Stat.** 1 *R.* 3. 7. A fine ſhall (after the ingroſſing thereof) be openly read and proclaimed in the Common Pleas, the ſame term, and there the three next terms after upon four ſeveral days, and in the mean time all the Pleas ſhall ceaſe.

XV. A tranſcript of the fine ſhall be ſent to the Juſtices of Aſſize of the County where the land lyeth, to be there alſo proclaimed at every Aſſize holden there that year, & then alſo all Pleas ſhall ceaſe.

XVI. Another tranſcript thereof ſhall be alſo ſent to the Juſtices of Peace of the ſame County, to be in like ſort proclaimed at their four Seſſions holden that year; and both the Juſtices of Aſſize and Peace ſhall make Certificate of ſuch Proclamation made, the ſecond return of the term then next following.

XVII. A fine ſo proclaimed and certified ſhall conclude all perſons, both Privies and Strangers (except women covert other then ſuch women as the parties to the fine, perſons under age, in priſon, out of the Realm, or not of ſound mind) if they puſue not their right, title, claim, or intereſt by way of action or lawful entry within five years after the proclamation ſo made and certified, as aforeſaid.

XVIII. The right of Strangers, which happens to come unto them after the fine is ingroſſed, is ſaved; ſo that they lawfully purſue their right or title within five years after it ſo comes to them, and here, an Action againſt the pernor of the profits is maintainable.

XIX. If the parties to whom ſuch right or title comes, be covert, under Age, in priſon, out of the Land, or not of *ſane* memory, they or their heirs have time to purſue their right or title within five years after ſuch imperfections removed; ſo alſo have they in caſe they had right of title at the time of the fine levied.

XX. Fines at the Common Law have the ſame force they had before, and a fine may be levied according to this Statute; or the Common-Law, at the election of the parties.

XXI. **Stat.** 4 *H.* 7. 24. Every fine after the ingroſſing ſhall be proclaimed in the Court the ſame term and the three next, four ſeveral days in every term, and in the mean time all Pleas ſhall ceaſe.

XXII. The Proclamations being ſo made, the fine ſhall conclude all perſons both privies and ſtrangers, except women covert, perſons under age, in priſon, out of the Realm, or of *non-ſane* memory, being not parties to the fine.

XXIII. The right and intereſt, that any perſon or perſons (other then parties) hath or have at the time of the fine ingroſſed, is ſaved, ſo that they or their heirs purſue ſuch their right or intereſt by action or lawful entry within 5 years after the Proclamations ſo made: ſo alſo is the right and intereſt ſaved, which accrues after the ingroſſing of the fine, ſo that the parties having the ſame purſue it within 5 years after it ſo accrues, and in this caſe the Action may be brought againſt the Pernor of the profits.

XIV. If at the time of the fine ingroſſed, or of ſuch accruer, as aforeſaid, the perſons be covert (and no parties to the fine) under

der age, in priſon out of the Realm, or of *non ſane* memory, they or their heirs have time to purſue their Actions within 5 years after ſuch imperfection removed.

XXV. The exception, that none of the parties nor any to their uſe had any thing in the lands at the time of the fine levied, is ſaved to all perſons, except parties and privies.

XXVI. Fines at the Common law have the ſame force they had before the making of this Act: and a fine may be levied this way, or at the Common law, at the pleaſure of the parties.

XXVII. **Stat.** 32 *H.* 8. 36. All fines levied by any perſon or perſons of full age of lands intailed before the ſame fine, to themſelves, or to any of their anceſtors, in poſſeſſion, reverſion, remainder or uſe, ſhall immediately after the fine ingroſſed and proclamations made be a ſufficient bar againſt them and their heirs, claiming onely by ſuch entail, and againſt all other claiming onely to their uſe, or to the uſe of any heir of their bodies.

XXVIII. Howbeit this Act ſhall not bar the intereſt of any perſons accrued by reaſon of any fine levied by a woman, after her husbands death, contrary to the Statute of 11 *H.* 7. 20.

XXIX. A fine levied by him, who is reſtrained by any expreſs Act of Parliament ſo to do, ſhall be void, notwithſtanding this Act.

XXX. This Act ſhall not extend to any fine heretofore levied of lands now in ſuit, or heretofore lawfully recovered in any Court by judgment or otherwiſe: nor to any fine of Lands intailed by the King's Letters Patents or any Act of Parliament, the reverſion thereof at the time of ſuch fine levied being in the King.

XXXI. **Stat.** 37 *H.* 8. 19. Fines levied before the Juſtices Of Aſſize at *Lancaſter*, or one of them, and openly read and proclaimed at the three ſeveral Seſſions before the ſaid Juſtices, or one of them of lands lying within that County Palatine, *viz.* upon three ſeveral days in the Seſſions when the fine is ingroſſed, and three other ſeveral days in each of the two Seſſions then next following, ſhall be of like force as fines acknowledged before the Juſtices of the Common Pleas.

XXXII. **Stat.** 2. 3 *E.* 6. 28. This Statute ordains all fines of lands within the County Palatine of *Cheſter* to be of like force with thoſe of the Common Pleas, being proclaimed before the high Juſtice there or his Deputy, in like ſort as thoſe of *Lancaſter* are proclaimed.

XXXIII. **Stat.** 1 *M. Parl.* 1. 7. All fines whereupon Proclamations are not duly made (by reaſon of the adjournment of any

term by Writ) ſhall be good as if that term had been holden from the beginning to the end; and Proclamations therein made, according to the Statute 4 *H.* 7. 24.

XXXIV. This Act ſhall not extend to any fine heretofore levied of lands now in ſuit, or heretofore lawfully recovered by judgment or otherwiſe.

XXXV. **Stat.** 35 *El.* 2. Fines in the Common Pleas ſhall be proclaimed four times onely, *viz.* once in the Term wherein the fine is ingroſſed, and once in each of the three Terms then next following.

☞ Fines to the King.

I. **Magna Chart.** 26. 9 *H.* 3. Nothing ſhall be given for a Writ of Inquiſition, nor taken of him that prayeth Inquiſition of life or member; but it ſhall be granted freely and not denied.

First-fruits and Tenths.

I. **Stat.** 26 *H.* 8. 3. The firſt-fruits and profits for one year of every ſpiritual living is granted to the King, which every ſpiritual perſon ſhall pay or ſecure by bond before his actual poſſeſſion of his Benefice.

II. Search for the value of Benefices and compoſition for the Firſt-fruits thereof ſhall be made by the Lord Chancellor, Maſter of the Rolls, and other Commiſſioners to be appointed by the King for that purpoſe, and the money and ſecurities taken upon ſuch Compoſitions, made before the Chancellor and Maſter of the Rolls only, ſhall be paid and delivered unto the Clerk of the Hanaper, for which he ſhall render account, as he uſeth to do for other profits of the Great Seal, but being made before other Commiſſioners ſhall be paid and delivered unto the Treaſurer of the King's Chamber, or ſuch other perſon or perſons as the King ſhall authorize under the Great Seal for that purpoſe to receive the ſame.

III. Acquittances for the receit of any money paid for Firſt-fruits under the hands of the Clerk of the Hanaper, Treaſurer of the King's Chamber, and the Commiſſioners, or any of them ſhall be a ſufficient diſcharge for the ſame in any of the King's Courts.

IV. An obligation for Firſt-fruits ſhall be of like force as a Statute-ſtaple, and no more ſhall be ſo taken for ſuch an Obligation then 8 d. and 4 d. for an Acquittance.

V. The

V. The Commiſſioners ſhall every ſix moneths deliver by Indenture unto the Treaſurer, or other perſon or perſons authorized, as aforeſaid, ſuch money and ſpecialties as they ſhall receive; and in caſe they do not, or do conceal them, they ſhall forfeit their office, and be fined at the King's pleaſure.

VI. If any be convicted by preſentment, verdict, confeſſion, or witneſs before the Lord Chancellor or other Commiſſioners to have entred upon any ſpiritual living before payment or compoſition made, as aforeſaid, he ſhall forfeit the double value of the First-fruits.

VII. All First-fruits hereforе payable to other perſons ſhall be from henceforth paid to the King.

VIII. Provided, that Biſhops may give inſtitution and induction, Notwithſtanding this Act.

IX. A rent of penſion out of every ſpiritual living (amounting to the tenth part of the annual value thereof) ſhall be yearly paid unto the King at *Chriſtmas*, and the Collector thereof ſhall pay them in yearly befor the firſt of *April*.

X. The Lord Chancellor ſhall appoint Commiſſioners in every Dioceſs for the Diſcovery of the yearly value of every ſpiritual living there, and to make Certificate thereof, as alſo of ſuch deductions as are to be made out of the ſame, which Commiſſoners ſhall be aforehand ſworn by *Dedimus poteſtatem*, duely to execute their Commmiſſions.

XI. Every ſpiritual perſon ſhall be charged for his tenth in the Dioceſs where he is, albeit their poſſeſſions ly elſewhere.

XII. Biſhops ſhall be charged with the Collection of all the tenths within their reſpective Dioceſſes, and ſhall make payment thereof yearly before the firſt of *April*, unto the Treaſurer of the King's Chamber, or other perſon authorized to receive the ſame, and upon non-payment thereof proceſs ſhall iſſue out of the Exchequer againſt them.

XIII. Biſhops ſhall have power to levy the Tenths by Cenſures of the Church, diſtreſs, or otherwiſe; and no replevin, prohibition, *ſuperſedeas*, or other writ or impediment ſhall be allowed to hinder the ſame.

XIV. During the vacation of a Biſhoprick the Dean and Chapiter ſhall be charge therewith.

XV. If tenths (being due) ſhall not be paid within 40 days after demand thereof made by the Biſhop or his officers, the Incumbent ſo making default (after certificate thereof into the Exchequer under the Seal of the Biſhop) ſhall be adjudged deprived *ipſo facto* of all ſuch Benefices as he hath at the time of ſuch certificate made, or

at

at any time after; and the Benfice or Benefices which he ſo hath ſhall be adjudged void, as if he were dead.

XVI. The Biſhop making ſuch certificate ſhall be diſcharged of ſo much as is certified to be unpaid, for the recovery whereof proceſs ſhall iſſue out of the Exchequer againſt the Incumbent, his Executors or Adminiſtrators, or (rather then the King ſhould loſe it) againſt his ſucceſſor.

XVII. The Acquittances of the Treaſurer of the King's Chamber, or other Commiſſioners authorized to receive the tenth, and all ſuch certificates, as aforeſaid, ſhall be allowed in all Courts without further warrant.

XVIII. No Officer of the Exchequer ſhall take any thing of the Biſhop or his Collector, for his Account or *Quietus eſt*, in pain to loſe office, and to be fined at the King's will.

XIX. They which pay penſions to others out of their ſpiritual livings may retain the tenth part thereof, and ſhall be therein protected by plea upon this Act.

XX. No penſion ſhall be reſerved upon the reſignation of a Benefice above the value of the third part thereof.

XXI. They who in one Corporation aggregate of many, have ſeveral and diſtinct poſſeſſions, belonging to their reſpective dignities ſhall only pay for their own poſſeſſions, and not for thoſe of others.

XXII. No Firſt-fruits ſhall be paid for a Benefice being not above the yearly value of 8 marks, except the Incumbent live three years after his Induction or Collation thereunto, and there ſhall be an exception inſerted in the Obligation, that in caſe he live not out thoſe three years, the Obligation ſhall be void; but if he outlive them, the Firſt-fruits ſhall be paid by him, his Executors or Adminiſtrators.

XXIII. Fees payable by any Biſhop or other Prelate for temporal Juſtice ſhall be defalked out of the valuation of their ſeveral dignities.

XXIV. **Stat.** 26 *H.* 8. 17. Farmers of ſpiritual perſons ſhall not be compelled to pay Firſt-fruits or Tenths for their leſſors.

XXV. **Stat.** 27 *H.* 8. 8. Every ſpiritual perſon at his entry into ſpecialty for the payment of his Firſt-fruits ſhall have deduction of the tenth part thereof, in reſpect of the tenth which ſhall be by him payable that year.

XXVI. Where the laſt incumbent leaves the tenth unpaid, the ſucceſſor may diſtrain the ſaid incumbents goods found upon the Benefice, and keep them until the Incumbent (if living) or if dead) his Executors, Adminiſtrators, or other owner of the ſaid goods

goods ſhall ſatisfie the arrears; which if not done within 12 days, the goods may be appraiſed upon oath, and ſold for the ſatisfying thereof together with reaſonable coſts, and in caſe there be no diſtreſs, the ſucceſſor may proſecute the Incumbent (if living) or (if dead) his executors, adminiſtrators, or other owner of his goods by bill in Chancery, or Action of debt for the recovery of the ſame.

XXVII. **Stat.** 32 *H.* 8. 22. If a Biſhop or any of his Deputies will make oath, that they cannot levy a tenth, they ſhall be diſcharged thereof upon their account in the Exchequer, which Court ſhall alſo have power to examine the truth thereof by witneſſes, or otherwiſe; and alſo to iſſue out Commiſſions, and to receive Certificates for that purpoſe.

XXVIII. If it be certified into the Exchequer by Commiſſion or otherwiſe, that any ſpiritual promotion is omitted out of the original Certificate of tenths, which ought to have been there inſerted; that Court ſhall have power to enter it into the ſaid original Record, to the end it may be from thenceforth chargeable therewith.

XXIX. **Stat.** 32 *H.* 8. 47. The Biſhop of *Norwich*, and his ſucceſſors ſhall collect the tenths of all ſpiritual promotions within his Dioceſs notwithſtanding the Statute of 27 *H.* 8. (not printed) which did exempt them from the collection thereof.

XXX. **Stat.** 34 & 35 *H.* 8. 17. The tenths and penſions reſerved upon the patents of the five new Biſhops of *Cheſter*, *Gloceſter*, *Peterborough*, *Briſtol* and *Oxford*, ſhall be paid in the Court of the firſt-fruits and tenths, and not elſewhere: *But note that Court was afterwards annexed to the Exchequer by divers Acts of Parliament, and Patents of H.* 8. *and Qu.* Mary. *See* Courts.

XXXI. **Stat.** 2 & 3 *E.* 6. 20. The penalty for default of payment of tenths ſhall be the forfeiture of that onely Benefice, out of which the ſame is due, notwithſtanding the Statute of 26 *H.* 8. 3.

XXXII. **Stat.** 7 *E.* 6. 4. The Collectors of tenths ſhall before *Midſummer* next give good ſecurity to ſave the Biſhop harmleſs againſt the King.

XXXIII. The Biſhop ſhall have the laſt day of *May* for the payment of tenths, and for making Certificates for ſuch as have refuſed to pay them, notwithſtanding the Stat. of 26 *H.* 8. 3.

XXXIV. If a Benifice be void, ſo that no [illegible]h can be there received, the Biſhop (upon certificate) ſhal[illegible] diſcharged thereof; and then the King ſhall have it levied upon the Glebe by way of ſeiſure.

XXXV. The Patent of a Collector of tenths ſhall be good no longer then during the continuance of the Grantor in the See.

XXXVI. **Stat.** 1 *El.* 4. The Firſt-fruits and tenths reſtored to the

the Crown; the Statutes preſcribing the grant and order of them re-continued; the Statute of 2 & 3 of *P & M.* 4. (by which they were taken away) repealed: and they ſhall from henceforth be within the Survey of the Court of Exchequer.

XXXVII. All Advowſons of Vicarages incident to any of the Queen's impropriations ſhall be reſetled in her, notwithſtanding any Act done by Cardinal *Pool*, or grant made by Queen *Mary*; ſaving unto all perſons (except ſuch unto whom ſuch grants have been made) their right and intereſt into or out of ſuch Impropriations.

XXXVIII. Penſions and all other yearly payments ſhall be paid, as before the Act of 2 & 3 *P. & M.*

XXXIX. All perſons in arrear for thoſe duties ſhall now be anſwerable for them to the Queen.

XL. Vicarages of 10 l. *per annum*, and Parſonages of 10 marks *per annum*, or under ſhall not be chargeable with Firſt-fruits.

XLI. If an Incumbent continue in the Benefice half a year after the laſt avoidance, and dy, or be legally outed before the end of the year, he, his executors, adminiſtrators or ſureties ſhall onely pay a 4th part of the Firſt-fruits: if he live out the year, and dy, or be outed within 6 moneths after the year, only half the Firſt-fruits ſhall be paid: and if he live out the year and half, and dy, or be outed within one year only, the quarter thereof ſhall be paid.

XLII. Diſcharge of Firſt-fruits and tenths heretofore granted by any of the Queens predeceſſors to the Univerſities or the Colledges in them, or to thoſe of *Eaton* and *Wincheſter* ſhall remain good, notwithſtanding this Act: alſo the Dean and Cannons of *Winſor* ſhall be from henceforth diſcharged thereof.

XLIII. All grants of Impropriations belonging to the Arch-diaconry of *Wells* ſhall remain good, notwithſtanding this Act; yet the ſaid Arch-diaconry and all ſpiritual promotions aſſigned to it ſhall from henceforth pay Firſt-fruits and tenths.

XLIV. All Impropriations and other profits or emoluments Eccleſiaſtical, which were formerly within the ſurvey of the Dutchey Court of *Lancaſter*, ſhall be re-continued, notwithſtanding this Act, or that of 2 & 3 of *P. & M.*

XLV. The rev[illegible] of Hoſpitals and Schools ſhall not be charged with the pay[illegible] of Firſt-fruits or tenths, notwithſtanding this Act,

☞ Fiſh,

☞ Fiſh, Fiſhers, and Fiſhing.

* I. **weſt.** 2.17.13 *E.* 1. None ſhall take Salmons betwixt the 8 of *September*, and the 11 of *November*, nor young Salmon with nets or other Engines at Mil-pools betwixt the midſt of *April* and the 24 of *June*, in pain of having their nets and engines burnt for the firſt offence; for the ſecond, to ſuffer a quarter of a years impriſonment; for the third, a years impriſonment, and after to have their puniſhment increaſed according to the treſpaſs: And in places where freſh waters be, overſeers of this Statute ſhall be aſſigned and ſworn to inquire of the offenders.

II. **Stat.** 31 *E.* 3. *Stat.* 2. 1. No Hering ſhall be bought or ſold in the Sea, before the Fiſhers be come into the Haven, and the cable of the Ship be drawn to the land.

III. **Stat.** 31 *E.* 3. *Stat.* 2. 2. The order and time of bringing in and ſelling of Herings at the Fair of Great *Yarmouth*, and there the price of a laſt of Hering ſhall be 40 s.

IV. There ſhall be no foreſtalling of Herings, but they ſhall come freely unſold into the Haven.

V. No Riber ſhall buy any freſh Hering in *Yarmouth* Haven betweeen the Feaſts of S. *Mich.* and S. *Martin*, in pain of impriſonment at the King's will, and to forfeit the Hering ſo bought.

VI. No Piker of *London*, or of any other place ſhall enter into the Haven there to abate the Fair, in pain to forfeit the Veſſel, and all the goods thereof.

VII. The Hoſtlers there ſhall be ſworn before the Wardens of the Fair to treat their gueſts well, and ſhall have 40 d. for every laſt ſold to others beſides themſelves, but for thoſe ſold to themſelves they ſhall take nothing.

VIII. An hundred of Hering ſhall be 120, and a laſt ten thouſand.

IX. Merchants ſhall ſell a thouſand of Herings according to the rate of the laſt; and thoſe of *Yarmouth*, ſhall ſell a laſt of red Hering bought for 40 s. for a Noble gain, and thoſe of *London* for a Mark gain, (when they bring them thither from *Yarmouth*) and not above.

X. Two laſts of ſhotten Hering freſh ſhall be equal in price with one laſt of full Hering, and two laſts of ſhotten Hering red ſhall be ſold a Mark dearer then a laſt of full red.

XI. The Pikers ſhall buy their Fiſh at *Kirkley*, or elſewhere upon the Coaſt, but not to unfurniſh the ſaid Fair; for the reſidue ſhall be brought to the Fair; and none ſhall ſell Hering within ſeven miles

miles of *Yarmouth*, but within the three Towns thereof, unleſs it be Hering of their now Fiſhing.

XII. The Barons of the five Ports are to have the government of the Fair; and this ordinance for buying and ſelling of Hering ſhall be obſerved in all other Towns where Hering is taken and old.

XIII. **Stat.** 31 *E.* 3. *Stat.* 2. 3. The Chancellor and Treaſure taking to them Juſtices and others of the King's Council ſhall ordain remedy touching the buying and ſelling of Stock-fiſh of St. *Botulfe*, Salmon of *Barwick*, Wines and Fiſh of *Briſtrute* and elſewhere.

* XIV. **Stat.** 31 *E. Stat.* 3. 1. Doggers and Land-ſhips of *Blackney* Haven, and the Coaſt thereabouts ſhall diſcharge their Fiſh in the ſame Haven, and not elſewhere, in pain of impriſonment at the King's will, and to forfeit their Fiſh, and it ſhall be ſold on Ship-board.

XV. **Stat.** 31 *E.* 3. *Stat.* 3. 2. The ordering and prizing of Dogger Fiſh and Loch-fiſh at *Blackney* Fair in *Norfolk*.

XVI. None but Maſters of Ships and Marriners that exerciſe Fiſhing, ſhall buy nets or hooks in *Norfolk* to Fiſh withall.

XVII. **Stat.** 35 *E.* 3. All perſons may buy Hering in the Fair-time at great *Yarmouth* openly, and not privily.

XVIII. No man ſhall enter into a bargain of Hering untill the firſt chapman hath done with it.

XIX. A Fiſher may ſell his hering at any time when he cometh with it.

XX. **Stat.** 13 *R.* 2. 19. No Fiſher ſhall uſe any Engine, by which the fry of Fiſh may be deſtroyed, upon the pains mentioned in the Statute of *Weſt.* 2. 47.

XXI. Salmons in *Lancaſhire* ſhall not be taken betwixt *Michaelmas* and *Candlemas*.

XXII. Conſervators ſhall be ſworn to ſee this Statute obſerved and the offenders puniſhed.

XXIII. **Stat.** 17 *R.* 2. 9. Juſtices of Peace ſhall be Conſervators of the Statutes of *Weſt.* 2. 47. & 13 *R.* 2. 19. and ſhall have power to ſearch all wares, leaſt by their ſtraitneſs the fry of Fiſh may be deſtroyed.

XXIV. Juſtices of Peace ſhall have power to appoint and ſwear under-Conſervators, to hear and determine in Seſſions offences of this kind, and to puniſh the offenders by impriſonment and fine, whereof the under-Conſervators, which informes, is to have half.

XXV. The Mayor or Warden of *London* hath like power in *Thames*,

Thames, from *Staines* to *London*, and in *Medeway*, as far as the Citizens grant extends.

* XXVI. **Stat.** 22 E. 4. 2. None ſhall ſell, or ſet to ſale any Salmon by veſſel before it be viewed, unleſs the But contain 84 gallons, the Barrel 42 gallons, and the half Barrel 21 gallons well packed, in pain to forfeit for every veſſel 6 s. 8 d. And it ſhall not be ſold or put to ſale in any veſſel, unleſs it be well packed, *viz.* the great Salmon by it ſelf, without mingling any grills or broken-bellied Salmon therewith; and the ſmall Fiſh (called grills) ſhall be packed by themſelves without ſuch mingling, in pain to forfeit for every veſſel otherwiſe packed and ſet to ſale 6 s. 8 d.

XXVII. None ſhall ſet any Hering to ſale in veſſel, unleſs the Barrel contain 32 gallons, and the half Barrel and Firkin accordingly; They ſhall alſo be well packed, of one times racking, and ſalting, and as good as well packed in the midſt as at the ends, in pain to forfeit for every veſſel wanting meaſure 3 s. 4 d. and as much for not being packed according to this Act.

XXVIII. None ſhall ſet to ſale any Eels by veſſel, unleſs the Barrel contain 42 gallons, and the other leſſer meaſures accordingly; neither ſhall any mingle red, gall-beaten, ſtarved or pulled Eels with good Eels, but pack the good Eels by themſelves; nor put to ſale any red Eels at all, in pain to forfeit for every veſſel wanting meaſure 10 s. and as much for every veſſel mixed, packed, or ſet to ſale contrary to this Act.

XXIX. None ſhall ſet to ſale any Barrelled Fiſh, unleſs it be well packed, *viz.* the great Fiſh (called Tail-Fiſh, containing in length from the bone in the fin to the third joint in the tail 26 inches) by themſelves, and the leſſer Fiſh (called grils) by themſelves, without mixing thukes, or broken-bellied Fiſh therewith; neither ſhall the ſaid Fiſh be laid double in the packing, nor the napes thereof longer then the little bone that reſteth upon the great fin. And the bone ſhall be taken away to the navel of every ſuch Fiſh, which ſhall alſo be ſplatted within a handful of the tail, in pain to forfeit for every Barrel of Fiſh otherwiſe ordered 3 s. 4 d.

XXX. Head-officers of Corporations, Burroughs, Market-Towns, and other places ſhall appoint diſcreet perſons to ſearch and gauge veſſels of Fiſh for the prevention of the aforeſaid deceits.

XXXI. The forfeitures of this Act ſhall be divided betwixt the King and the proſecutor. Howbeit, within a Franchiſe the Lord of the Liberty ſhall have the King's part.

XXXII. **Stat.** 11 H. 7. 23. The Statute of 22 E. 4. 2. is confirmed, and the Gauger, Searcher, and Packers fee appointed, *viz.* for

Gauging

Gauging of every veſſel of Fiſh a farthing, for ſearching and packing (if need be) of a Barrel of Salmon 1 d. for boning, napping, and packing a Barrel of Fiſh (if need be) 1 d. for ſearching and packing a Barrel of Hering 2 d. and as much for Eels; and ſo ratably for leſſer meaſures of Hering and Eels.

XXXIII. The Gauger, Searcher, or Packer ſhall take no more, and that onely when they execute their office, in pain to forfeit their office, and to ſuffer forty days impriſonment without bail.

XXXIV. **Stat.** 31 *H.* 8. 2. None ſhall Fiſh in any Pond, Stew, or Mot[illegible] the day time, without the owners concent, in pain of three Mon[illegible] impriſonment, and to find ſureties for their good behaviour. *But this is altered by* 5 El. 21. *Vide infra.*

* XXXV. **Stat.** 2. & 3 *E.* 6. 6. No Officer of the Admiralty ſhall take any thing of any perſon that goes to trade for Fiſh into *Iſland*, *New-found land*, *Ireland*, or other places commodious for Fiſhing, for any licence to paſs, or otherwiſe in reſpect of ſuch voyage, in pain to forfeit for the firſt offence treble the ſumme or value of the reward ſo taken, to be divided betwixt the King and the party grieved, or other proſecutor: And for the ſecond offence to loſe his office, and to be fined at the King's will.

* XXXVI. **Stat.** 1 *El.* 17. None ſhall uſe any Net or Engine to deſtroy the ſpawn or frie of Fiſh, or take Salmons or Trouts out of ſeaſon or Pikes ſhorter then 10 inches, Salmons then 16, Trouts then 8, and Barbels then 12: or ſhall uſe any engine to take Fiſh other then angle or a net, or Tramel of two inches and an half meſhe, in pain to forfeit 20 s. the Fiſh ſo wrongfully taken, and the net or engine wrongfully uſed.

XXXVII. All perſons having juriſdiction of Conſervancy upon ſtreams or waters, and Lords of Leets have power upon the oaths of twelve men to hear, and determine theſe offences, and ſhall have all the forfeitures which accrue thereupon.

XXXVIII. The Steward of a Leet ſhall give this Statute in charge to the Jury, in pain of 40 s. to be divided betwixt the Queen and the Informer.

XXXIX. Here if the Jury wilfully forbear to preſent offences of this kind, the Steward or Bayliff ſhall impanel another Jury to inquire of their default, which being found, the firſt Jury ſhall forfeit 20 s. apiece.

XL. Upon default of preſentment in Leets within one year, Juſtices of Peace in Seſſions, Juſtices of *Oyer* and *Terminer*, and Juſtices of Aſſize in Circuits have power to hear and determine the ſaid offences.

XLI.

XLI. This Act ſhall not reſtrain the taking of Smelts, Loches, Mineis, Bull-heads, Gudgeons, or Eels with Nets or Engines, formerly uſed, ſo that no other Fiſh be taken therewith; nor ſhall extend to abridge any former priviledge of conſervancy lawfully enjoyed, or Fiſhing in *Tweed*, *Uske*, or *Wye*, or in waters ſet to farm by the Queen, ſo that the ſpawn or frie of Fiſh be not therein wilfully deſtroyed.

* XLII. **Stat.** 5 *El.* 21. None ſhall unlawfully break down Fiſh-pond-heads, or Fiſh there without licence of the owner, or enter into any Charter-Park, Woods, or other grounds, and their kill or chaſe the Deer, or take any Hawks or Hawks eggs, in pain to ſuffer three moneths impriſonment, and to be bound with good ſureties to the good behaviour for ſeven years after.

XLIII. The party grieved ſhall in Seſſions, or elſewhere recover treble damages againſt the Delinquent, and upon ſatisfaction ſhall have liberty to procure his releaſe of the behaviour.

☞ XLIV. Juſtices of *Oyer* and *Terminer*, Aſſize, Peace and Gaol-delivery in Seſſions have power to hear and determine theſe offences.

XLV. Juſtices of Peace upon the offenders acknowledgment in Seſſions, and ſatisfaction to the party grieved, ſhall have power to releaſe the behaviour.

XLVI. **Stat.** 1 *Jac.* 23. In the Counties of *Somerſet*, *Devon*, and *Cornwall*, it ſhall be lawful for Huors of Fiſh to go upon any man's ground near the Sea-coaſt to diſcover Fiſh, and for Fiſhermen to dry their ſeames and nets there, without danger of committing treſpaſs.

* XLVII. **Stat.** 3. *Jac.* 12. None ſhall erect a Wear or Wears along the Sea-ſhore, or in any Haven or Creek, or within 5 miles of the mouth of any Haven or Creek, or ſhall willingly deſtroy the ſpawn or fry of Fiſh, in pain of 10 l. to be divided betwixt the King and the proſecutor; neither ſhall any Fiſh in any of the ſaid places with any net of a leſs meſhe then 3 inches and an half betwixt knot and knot (except for the taking of ſmeulds in *Norfolk* onely) or with a Canvas net or other engine, whereby the ſpawn or fry of Fiſh may be deſtroyed, in pain to forfeit the ſaid net or engine, and 10 s. in money, to be divided betwixt the poor of the Pariſh and the proſecutor; and to be levied in Corporations by the Head-officers, ☞ and in other places by diſtreſs and ſale of goods upon a warrant of a Juſtice of Peace directed unto the Conſtables and Church-wardens of the ſame Pariſh for that purpoſe.

XLVIII. **Stat.** 14 *Car.* 2. *cap.* 28. For encouragement of Fiſhing and preventing the diſorder and abuſes in draining nets and

unlawful engins, It is enacted, That none ſhall in any year from the firſt of *June* till the laſt of *November*, take any Fiſh in the Sea, in *Cornwall* or *Devon*, with any trammel, driff-net, or ſtream-net or nets of that ſort, unleſs it be at a league and halfs diſtance from the ſhore, on penalty of forfeiture of the nets or the value thereof and one moneths impriſonment without bail.

XLIX. None but Owners, Partners or Adventurers in the Craft of Fiſhery ſhall make any Pilchards or Fumathoes in calks to be ſold or tranſported, except they openly buy them of the Owners or Adventurers in the Pilchard Craft, upon pain of forfeiture of the ſame, one half to the King and the other half to any ſuch as ſhall ſue for the ſame.

L. None ſhall hide or purloyn or carry away or ſell any Pilchard Fiſh, out of any Net, Boats, or ſellers, without allowance of the Owner, and major part of the company upon pain of treble damages to the party wronged, and being ſent to the houſe of Correction for 3 moneths.

LI. Idle and ſuſpicious perſons ſhall not flock together about the Boats, Nets, or ſellars of Pilchards catchers upon any the coaſt of *Cornwall* and *Devon*, having no buſineſs there, and being warned by the Company or Owners to be gone, upon every perſon refuſing to depart upon complaint to any Juſtice of the Peace ſhall pay 5 s. to the poor of the pariſh where ſuch offence ſhall be committed, or be ſet in the Stocks five houres.

LII. **Stat.** 15 *Car.* 2. *cap* 16. *Stat.* 3. An Act for regulating the Hering, and other Fiſhers and the Act at large.

☞ Flax and Hemp.

I. **Stat.** 33 *H.* 8. 17. None ſhall water any Hemp or Flax in any River, Running-water, Stream, Brook, or common Pond, where beaſts be uſed to be watered, but onely upon the ground, in pits ordained for that purpoſe, or in their own ſeveral Ponds, in pain of 20 s. to be divided betwixt the King and the party grieved, or other proſecutor.

Fools, Lunaticks, and Mad-men.

I. **Prerog. Reg.** 9. 17 *E.* 2. The King ſhall have the cuſtody of the lands of natural fools, taking the profits thereof without waſt and finding them neceſſaries, of whoſe fee ſoever the lands be holden, and after the death of ſuch Idiots ſhall render them to the right heir; ſo that the lands ſhall not be ſold, nor the heir diſinherited.

II.

II. Prerog. Reg. 10. 17 E. 2. The King ſhall provide, that the lands of Lunaticks be ſafely kept without waſte; and they and their families (if they have any) ſhall be maintained with the profits thereof, and that the reſidue be kept for their uſe, and be delivered unto them, when they come to right minde; ſo that the Lands ſhall not be aliened, neither ſhall the King have any profit thereof to his own uſe; but if they die in ſuch eſtate, the reſidue ſhall be diſtributed for their ſouls by the advice of the Ordinary.

☞ Forcible Entry.

*I. Stat. 5 R. 2. 7. None ſhall enter into lands or tenements by force, in pain of impriſonment and ranſom at the King's pleaſure.

II. Stat. 15 R. 2. 2. When forcible entry is made into lands or Church livings, one or more Juſtices of Peace taking ſufficient power, and going to the place ſo kept by force, may commit the offender to the next Gaol, there to remain convict by the Juſtices Record, till he hath made fine and ranſom to the King; And herein the Sheriff and all other ſhall be aſſiſtants, in pain of impriſonment and great fines making.

III. Stat. 8 H. 6. 9. The *Stat.* of 15 R. 2. 2. ſhall be duly put in execution both againſt forcible entry and againſt forcible detainer, although it were after Peaceable entry; and all this at the coſts of the party grieved.

IV. When complaint of any ſuch entry or detainer ſhall be made to any Juſtice or Juſtices of Peace, he or they by precept ſhall command the Sheriff to ſummon a ſufficient Jury, and having by them made inquiry of the force committed, ſhall cauſe the tenements to be ſeized, and that as well in the abſence as preſence of the party offending: And here, the alienation of tenements (ſo entred into or detained by force) for maintenance ſhall be adjudged void.

V. If the Jurors make default, iſſues are to be ſet upon them by the Sheriffs thus, 20 s. upon the firſt Precept, 40 s. upon the ſecond, 100 s. upon the third, and for every default after, the double.

VI. The Sheriff or Bailiff that ſhall neglect his duty herein, ſhall forfeit 20 l. to be recovered againſt him, as well before the Juſtices aforeſaid, as before Juſtices of Aſſize by indictment or bill, and to be divided betwixt the King and the proſecutor.

VII. In an Aſſize of *novel diſſeiſin*, or action of treſpaſs againſt the party guilty of forcible entry, forcible detainer and alienation

as aforeſaid, the party grieved ſhall recover treble damages.

VIII. Head-officers and Juſtices of Peace of Corporations have like power within their Franchiſes that other Juſtices of Peace have within Counties.

IX. This Statute ſhall indamage none where peaceable poſſeſſion hath been injoyed by the ſpace of three years.

X. **Stat.** 31 *El.* 11. There ſhall be no reſtitution upon an indictment of forcible entry or detainer, where the Defendant hath been three years next before in quiet poſſeſſon, and his eſtate therein not ended.

XI. **Stat.** 21 *Jac.* 15. Upon force or detainer, as aforeſaid, a Juſtice or Juſtices of Peace have power to give reſtitution of poſſeſſion as well unto tenants for years, by *Elegit*, Statute-merchant, or Staple, Copiholders, or Guardians by Knights-ſervice as unto thoſe that claim free-hold or inheritance.

☞ Foreſts, Chaſes, Parks, and Warrens.

I. **Charta foreſtæ**, *Cap.* 1. 9 *H.* 3. All Foreſts afforeſted by *H.* 2. ſhall be viewed by lawful men, and if he hath afforeſted any other Woods then his own in Demeſne, whereby any is prejudiced, they ſhall be diſ-afforeſted, ſaving Common of herbage, and other things within the Foreſt to ſuch, as have been accuſtomed to injoy them.

II. *Cap.* 2. None dwelling out of the Foreſt ſhall come before the Juſtices of our Foreſt by common ſummons, unleſs they be impleaded there, or be ſureties for others that are attached for the Foreſt.

III. *Cap.* 3. All woods made foreſt by *R.* 1. or King *John* ſhall be diſ-afforeſted, unleſs they be our demeſne woods.

IV. *Cap.* 4. All freeholders having woods in Foreſts ſhall enjoy them as they did in the Coronation of *H.* 2. acquitted of all purpreſtures, waſts, and aſſerts, made before the ſecond year of the Coronation of *H.* 3. and they that make them henceforward ſhall be anſwerable to the King for the ſame.

V. *Cap.* 5. Rangers of the Foreſts ſhall exerciſe their offices as was uſed at the Coronation of *H.* 2. and not otherwiſe.

VI. *Cap.* 6. Lawing of Dogs ſhall be made in Foreſts from three years to three years by the view and teſtimony of lawful men, and not otherwiſe: and he that hath not his dog lawed ſhall be amerced 3 s. alſo no ox ſhall be taken for lawing of dogs, and it ſhall be done by the uſual Aſſize, *viz.* that three claws of the fore-foot be cut off by the skin: Howbeit, ſuch lawing ſhall not be, but

but where it hath been uſed from the Coronation of *H.* 2.

VII. *Cap.* 7. No Foſter or Beadle ſhall make Scotal, or gather Garb, Oats, Corn, Lamb, or Pig, but by the ſight and oath of the 12 Rangers, when they ſhall make their Range: And there ſhall be ſo many Rangers aſſigned for the keeping of Foreſts, as ſhall ſeem reaſonably ſufficient for the ſame.

VIII. *Cap.* 8. There ſhall be onely three Swain-motes in the year, *viz.* one 15 days before *Michaelmas*; another about *Martinmas*, and the third, 15 days before *Midſummer*, at the firſt two of which none ſhall appear by diſtreſs but the Foſters, Verdors, and Geſt-takers, and at the other, onely the Foſters and Verdors: Howbeit, the Foſters and Verdors ſhall meet every forty days to ſee the attachments of the Foreſts, as well for Green-hue as hunting: And the Swain-motes ſhall not be kept but in the Counties, where they have been uſed to be kept.

IX. *Cap.* 9. Every one having a Wood in the Foreſt may ageſt it, and take his pawnage there at his pleaſure; he may alſo drive his hogs through the King's Wood, or elſewhere for that purpoſe, and if they lie all night in the Foreſts, he ſhall not be queſtioned for it.

X. *Cap.* 10. None ſhall loſe life or member for killing of Deer but ſhall be fined for it, if he have any thing; if not, he ſhall be impriſoned a year and a day, and (if he can find good ſureties) ſhall then be delivered; but if not he ſhall abjure the Realm.

XI. *Cap.* 11. A Peer of the Realm, being ſent for by the King, in coming and returning may kill a Deer or two in the Foreſt, through which he paſſeth; Howbeit it muſt not be done privily, but by the view of the Foſter, if preſent; but if abſent, by cauſing one to blow a horn for him, leſt he ſeem to ſteal the Deer.

XII. *Cap.* 12. Every freeman may within the Foreſt (upon his own ground) make a Mill, Spring, Pool, Marl-pit, Dike, or arable ground, without meloſing ſuch arable, ſo it be not to the nuſance of any of his neighbours.

XIII. *Cap.* 13. Every free-man may have his Ayries of Hawks, Eagles, and Herons, and alſo Honey found in his Woods within the Foreſt.

XIV. *Cap.* 14. No Chimage or toll ſhall be taken in Foreſts but by a Foreſter in fee that farms his Bailiwick, and onely of ſuch as buy their buſhes, timber, bark, or coal to ſell it again, *viz.* 2 d. for a cart, and 1 d. for an horſe to be taken, half yearly; and it ſhall onely be taken where it hath uſed to be taken, and not elſewhere: neither ſhall any chimage be taken of ſuch as carry burthens of buſhes

bark, or coal, albeit they ſell it, unleſs they take them out of the King's Demeſne Woods.

XV. *Cap.* 15. All perſons out lawed for treſpaſs in Foreſts ſince *H.* 3 ſhall be releaſed, finding ſureties to offend no more.

XVI. No Conſtable, Caſtellain, or Bailiff ſhall hold pleas of Foreſt for Green-hue or hunting, but the Foreſter ſhall attach ſuch pleas and preſent them to the Verdors of the Provinces, who ſhall inroll them, and preſent them incloſed under their ſeals unto the Chief Juſtice of the Foreſt when he comes into thoſe parts to hold pleas of the Foreſt to be determined before him.

XVII. Theſe liberties of the Foreſt the King grants to all men, ſaving to all other perſons the liberties and free cuſtomes in Foreſts, Warrens, and other places which they have formerly enjoyed.

XVIII. **Merton,** *cap.* 11. 20 *H.* 3. The Lords demanded the impriſonment of treſpaſſers in their Parks and Ponds, but it was denied by the King, and ſo deferred.

XIX. **Weſt.** 1. *cap.* 20. 3 *E.* 1. Treſpaſſers in Parks or Ponds ſhall give treble damages to the party grieved, ſuffer three years impriſonment, be fined at the King's pleaſure, and give ſurety never to offend in the like kind again: And if they cannot find ſurety, they ſhall abjure the Realm, or being fugitive ſhall be outlawed.

XX. **Stat.** 21 *E.* 1. A Foreſter, Parker, or Warrener, ſhall not be queſtioned for killing a Treſpaſſer, who (after the peace cried unto him) will not yield himſelf, ſo it be not done out of ſome other former malice.

XXI. *Ordinatio Foreſtæ,* 33 *E.* 1. *Stat.* 5. Thoſe to whom the King hath granted Purliew (whereby their Woods are diſ-afforeſted) ſhall be quit of the charge of the Foreſt, but then they are to have no common there: Howbeit, ſuch as are willing to return their Woods into the Foreſt ſhall injoy Common and other caſements there, as they did before.

XXII. *Ordinatio Foreſtæ,* 34 *E.* 1. *cap.* Preſentments of treſpaſſes of Green-hue and hunting in Foreſts ſhall be made at the next Swainmote by the Foreſters within their ſeveral Bailiwicks, before the Foreſters, Verdors, Regardors, Agiſtors, and other Miniſters of the Foreſt, and they ſhall be alſo inquired of by the oaths as well of Knights as other lawfull men, (not ſuſpected) of the neareſt parts, where the treſpaſſes were committed, and the preſentments ſo inquired of ſhall be ſolemnly confirmed and ſealed by the ſeals of the ſaid Miniſters.

XXIII. *Cap.* 2. If any Officer die, or be otherwiſe hindered, that he cannot preſent at the *Swainmote,* the Juſtice of the Foreſt or his

his Lievtenant ſhall put another in his place, that the Indictment may nevertheleſs be made by all, in form aforeſaid: alſo officers which are to be placed, ſhall be put as hath been uſed; except the Verdors, who ſhall be ordained by election or writ.

XXIV. *Cap.* 3. No Miniſter of the Forreſt ſhall be put upon any Aſſize, Jury or Enqueſt to be taken without the Foreſt.

XXV. *Cap.* 4. No officer of the Foreſt ſhall ſurcharge the Foreſt, in pain to be impriſoned by the Juſtice of the Foreſt, or his Lievtenant, and he by whom they were placed ſhall be alſo puniſhed at the King's pleaſure. At every *Swainmote* enquiry ſhall be made of ſurcharges, Foreſters, and other Miniſters there, and of oppreſſions done to the people, that reformation may be made.

XXVI. *Cap.* 5. Treſpaſſes committed in grounds diſ-afforeſted, ſhall be pardoned; yet ſo as the hedges and ditches ſhall be caſt down and removed; ſaving the King's Arrentations, which ſhall remain according to the Aſſize of the Foreſt; alſo the wood felled in the Foreſt ſhall be carried away, but that ſtanding (though ſold) ſhall be preſerved.

XXVII. *Cap.* 6. The Juſtice or his Lievtenant ſhall take fines and amerciaments of Indictees for treſpaſſes committed there, and ſhall not tarry for the *Eyre*. Commoners reſtrained from their Commons by the Perambulation, ſhall be reſtored to them again; ſaving the King's Arrentations, as aforeſaid.

XXVIII. *Stat.* 1 *E.* 3. *Stat.* 1. *cap.* 8. None ſhall be taken or impriſoned for vert or veniſon, unleſs he be taken with the manner, or elſe indicted, acording to the form of the Statute of 34 *E.* 1. And then the Warden of the Foreſt ſhall let him to mainprize, untill the Eyre of the Foreſt, without taking any thing for his deliverance: And if the Warden will not ſo do, he ſhall have a Writ out of the Chancery of old ordained for perſons indicted, to be bailed till the Eyre.

XXIX. If the Warden after the Writ ſerved deliver not the perſon indicted to Mainprize, the Plaintiff ſhall have writ out of the Chancery directed to the Sheriff, to attach the Warden to anſwer his default before the King at a certain day; and then the Sheriff (the Verdors being called to him) ſhall deliver the perſon indicted by good mainprize in the preſence of the ſaid Verdors, and ſhall deliver the names of the Mainpernors to the ſame Verdors to anſwer in the Eyre before the Juſtices.

XXX. If the chief Warden be thereof attainted, he ſhall be awarded to pay treble damages to the party grieved, committed to priſon, and ranſomed at the King's will.

XXXI. **Stat.** 1 *E.* 3. *Stat.* 2. *cap.* 1. The great Charter, and alſo that of the Foreſt are confirmed.

XXXII. The perambulations of Foreſts ſhall continue, as they were bounded in the time of *E.* 1. and every County ſhall have a Charter thereof, and where they are not bounded, it ſhall be now done, and a Charter thereof ſhall be alſo made accordingly.

XXXIII. **Stat.** 1 *E.* 3. *Stat.* 2. *cap.* 2. Every man having wood within the Foreſt may take houſe-boot and hey-boot in his ſaid wood, without being attached for the ſame by the Miniſters of the Foreſt, ſo that it be done by the view of the Foreſters.

XXXIV. **Stat.** 25 *E.* 3. *Stat.* 5. *cap.* 7. No Foreſter or other Miniſter there ſhall gather any victuals, or other thing, by colour of his office, but what is due of old right.

XXXV. **Stat.** 7 *R.* 2. 3. A Jury for the trial of a treſpaſs within a Foreſt ſhall give up their verdict, where they received their charge, and ſhall not by menace, or otherwiſe be conſtrained to give their verdict of a treſpaſs done in the Foreſt, otherwiſe then their conſcience will cleerly inform them.

XXXVI. **Stat.** 7 *R.* 2. 4. No officer of the Foreſt ſhall take or impriſon any without due indictment, or *per main ouvre*, with his hand at the work, that is, being taken with the manner) or treſpaſſing in the Foreſt; nor ſhall conſtrain any to make obligation of ranſom againſt his will, and the Aſſize of the Foreſt, in pain to pay the party grieved double damages, and to be ranſomed at the King's will.

XXXVII. **Stat.** 22 *E.* 4. 7. If any having Woods in his own ground, within any Foreſt, Chaſe, or Purliew, ſhall cut or cauſe the ſame (or any part thereof) to be cut, by the King's licence (where ſuch Foreſts, Chaſes, or Purliew are his) or without licence (where they belong to others) he may keep them ſeveral and incloſed during ſeven years next after their felling.

XXXVIII. **Stat.** 32 *H.* 8. 35. Every Juſtice of the King's Foreſts, Chaſes, and Parks, by writing under the ſeal of his office may make as many Deputies as he pleaſe, which ſhall have like power as the Juſtice himſelf hath.

XXXIX. **Stat.** 16. 17 *Car.* 16. An Act for the certainty of Foreſts, and of the Meers, limits, and bounds thereof. *See the Statute at large.*

Forfeiture.

Magna Charta, *Cap.* 22. 9 *H.* 3. The King will not hold the lands of perſons convict of Felony longer then a year and a day, and

and then they ſhall be delivered to the Lords of the Fee.

II. **Stat.** 17 *E.* 2. 14. The King ſhall have the Eſcheats of the lands of free-holders, of Arch-biſhops, and Biſhops, which happen in time of Vacation to diſpoſe of at his pleaſure, the ſaid free-holders being attainted for felony, ſaving to ſuch Prelates the ſervice, that thereto is due and accuſtomed.

III. **Stat.** 17 *E.* 2. 16. The King ſhall have all the goods of felons and fugitives, and the year, day, and waſte of their land, and then the lands ſhall be dilivered to the Lord of the Fee, who may alſo (if they pleaſe,) compound with the King for the year, day and waſte.

IV. Here certain lands are excepted, *viz.* 1. in *Gloceſter-ſhire* where after the year and day, the land ſhall deſcend to the next heir. 2. In *Kent* (lands called *Gavelkind*) where the Father may go to the Bough, and yet the Son to the Plough: And in *Gavelkind* all the heirs-male ſhall divide the inheritance, and ſo ſhall the heirs-female, but women ſhall not make partition with men; alſo a woman ſhall be indowed of the moiety, and if ſhe commit fornication in her widdow-hood, or marry, ſhe ſhall loſe her Dower.

V. **Stat.** *De Catallis felonum*, None taken for felony, for which he ſhall be impriſoned, ſhall be diſſeiſed of his lands or chattels until he be convicted thereof: but as ſoon as he is taken, his tenements and chattels ſhall be viewed by the Sheriff and other officers of the King and lawful men and Inventoried, and kept by the Bailiff of him that is ſo taken, who ſhall give ſurety to the Juſtices of the chattels, or the price: ſaving to the accuſed and his family their neceſſaries as long as he ſhall be impriſoned, and his reaſonable eſtover, ſo that when he is convicted, the reſidue of his chattels (beſides his eſtover) may remain to the King with the year and day of his lands; but if he be acquit, his chattels ſhall be reſtored. *Vide Raſt. Forfeiture* 7.

VI. **Stat.** 31 *E.* 3. *Stat.* 1. 3. If any charged with the goods of fugitives and felons (will in diſcharge of himſelf) alledge another, that is chargeable therewith, he ſhall be heard and right ſhall be done him.

VII. **Stat.** 34 *E.* 3. 12. There ſhall be no forfeiture of lands for treaſon of dead perſons not attainted in their lives.

VIII. **Stat.** 1 *R.* 3. 3. None ſhall ſeize the goods of any arreſted for ſuſpition of felony before he be convict or attainted thereof, or the ſame goods be otherwiſe lawfully forfeited, in pain to forfeit to the party grieved double the value of the goods ſo taken, to be recovered by Action of debt, &c. wherin no eſſoin, &c. ſhall be allowed.

IX.

IX. **Stat.** 11 *H.* 7. 1. None that attends upon the King (for the time being) in his perſon, and doth him faithful ſervice of Allegiance in his wars within the Realm or without, or is in other places at his command, ſhall be convict or attainted of High Treaſon, or any other offence for ſo doing, whereby he may forfeit any thing, but ſhall be clearly diſcharged of all vexation and loſs, which he may incur by reaſon of the ſame. And if any Act or proceſs of Law hereafter happen to be made thereupon, it ſhall be void: Provided, that none ſhall take benefit by this Act, which ſhall hereafter decline from his Allegiance.

X. **Stat.** 24 *H.* 8. 5. If any be indicted or appealed for the death of one attempting to murther, rob, or commit burglary (and ſo found by verdict) he ſhall forfeit no lands or goods for the ſame, but ſhall be fully acquit and diſcharged thereof.

Forger of falſe Deeds.

I. **Stat.** 5 *El.* 14. If any alone or with others ſhall wittingly, ſubtilly and falſly forge or make, or cauſe to be forged or made any falſe Deed, Charter or writing ſealed, Court-Roll, or Will in writing, to the intent that the free-hold or inheritance of lands, or the right or title thereof may be troubled, defeated, or charged, or ſhall publiſh or ſhew forth in evidence any ſuch forged writing as true, knowing the ſame to be falſe and forged, and ſhall be thereof convicted upon an Action of Forger of falſe Deeds (to be founded upon this Statute) at the ſuit of the party grieved, or otherwiſe, ſhall pay to the party grieved double coſts and dammages, to be aſſeſſed in the Court, where ſuch conviction ſhall be, ſhall be ſet upon the Pillory in ſome Market-town, or other open place, and there have both his Ears cut off, and alſo his noſtrils ſlit and ſeared with an hot iron, he ſhall alſo forfeit to the Queen, her heirs and ſucceſſors the Iſſues of his lands, and ſuffer perpetual impriſonment during his life: and the ſaid coſts and dammages ſhall be firſt levied upon the goods and iſſues of the lands of the offender, notwithſtanding the Queen's title thereunto.

II. For ſuch forging, &c. of a leaſe for years of lands (not Copy-hold) or of an Annuity, Obligation, Bill, Acquittance, Releaſe, or other diſcharge of any perſonal thing; the offender ſhall pay double coſts to the party grieved to be aſſeſſed, as before, be ſet upon the Pillory, loſe one of his ears, and ſuffer a years impriſonment without bail.

III. The party grieved may have his remedy for his double coſts and dammages by original writ out of the Chancery, as in caſe

of

of treſpaſs, by bill in the King's Bench, or in the Exchequer, in which ſuit no eſſoin, &c. ſhall be allowed.

IV. Howbeit, he that is once puniſhed for his offence ſhall not after be impeached for the ſame; and albeit the Plaintiffs releaſe or diſcontinuance of ſuit may diſcharge his own remedy, yet the reſt of the puniſhment ſhall be nevertheleſs inflicted by judgment and command of the Court.

V. The ſecond offence is felony without Clergy, whereof the offender being convicted or attainted, he ſhall forfeit his lands and goods as other caſes of felony, ſaving to all other perſons their right, &c. neither ſhall ſuch conviction or attainder extend to loſs of Dower, or diſheriſon of heir.

VI. Provided, this Act ſhall not extend to charge any Ordinary, Commiſſary or Official for putting their ſeal of Office to any will, not knowing the ſame to be forged, nor for writing ſuch a will, or the probate thereof.

VII. Juſtices of *Oyer* and *Terminer*, and Aſſize in their Seſſions ſhall hear and determine theſe offences.

VIII. Provided this Act ſhall not extend to any Proctor, Advocate, or Regiſter for writing, ſetting forth, or pleading of any Proxie for the apparence of any perſon cited to appear in the Eccleſiaſtical Court, nor to any Arch-deacon or Official for putting their ſeal to ſuch Proxie, nor to any Eccleſiaſtical Judge for admitting the ſame, nor to any Attorney or Counſellor for pleading or giving in evidence any ſuch forged writing, being nor party nor privy thereunto, nor to any perſon, that ſhall plead or ſhew forth any writing exemplified under the Great Seal or the ſeal of any other Court of this Realm, nor to any Judge, Juſtice or other perſon, that ſhall ſet any ſuch ſeal thereunto, not knowing the ſame to be forged.

☞ Foreſtallers, Regradors and Ingroſſers.

* I. **Stat.** 5 *E.* 6. 14. He or ſhe that ſhall buy or contract for any Merchandize, Victual or other thing whatſoever, (in the way) before it ſhall be brought (by land or by water) unto any City, Port, Road, Fair, or Market where it ſhould be ſold, or ſhall cauſe the ſame to be ſo bought, or ſhall diſwade people from bringing any ſuch commodity to any ſuch place, or (being brought) ſhall perſwade them to inhance the price thereof ſhall be adjudged a Foreſtaller.

A Regrador is he that buyes any grain, wine, fiſh, butter, cheeſe, candles, tallow, ſheep, lambs, calves, ſwine, piggs, geeſe, capons, hens,

hens, chickens, pigeons, conies, or other dead victual whatſoever, brought to a Fair or Market to be ſold there, and do ſell the ſame again in the ſame Fair or Market, or in ſome other Fair or Market within 4 miles.

III. An Ingroſſer is he that gets into his hands by buying, contract or promiſe (other then by demiſe, grant or leaſe of land or tithe) any corn growing in the fields, or other grain, butter, cheeſe, fiſh, or other dead victual whatſoever, with intent to ſell it again.

IV. The party guilty of any of the offences aforeſaid, ſhall forfeit for the firſt offence the value of the goods ſo bought or had, and ſuffer 2 moneths impriſonment without bail; for the ſecond, the double value, and ſuffer 6 moneths impriſonment without bail; and for the third, ſhall forfeit all his goods, be ſet upon the Pillory, and be impriſoned at the King's pleaſure.

V. This Act ſhall not reſtrain the buying of Barley or Oats to be converted into Mault or Oatmeal; nor the proviſion of any Town Corporate, Ship, Caſtle, Fort, *Barwick*, Holy Iſland, &c. or any Fiſh-monger, Inholder, Victualer, Butcher, Poulterer, or people dwelling within one mile of the main Sea, which uſe to buy and ſell fiſh, for any thing concerning their ſeveral myſteries or trading, they retailing the ſame at reaſonable prices, nor any Badger, Lader, Kidder or Carrier, aſſigned to that office by three Juſtices of Peace, and delivering the commodity out of his hand within one moneth after he buyes it; nor the taking of any thing reſerved upon any leaſe, ſo that all theſe things be done without fraud or foreſtalling.

VI. He that buyeth grain in any Market for change of ſeed, ſhall bring as much the ſame day, and ſell it, if he can, according to the preſent price of grain there, in pain to forfeit double the value of the grain ſo bought.

VII. He that buyes any cattel and ſells the ſame again alive within 5 weeks, ſhall forfeit double the value thereof, during which time he ought to keep them upon Paſture, which he hath either by grant or preſcription.

VIII. Juſtices of Peace in Seſſions have power to hear and determine the aforeſaid offences by inquiſition, preſentment, bill, or information, or by the teſtimony of two witneſſes, and to exact the one half of the forfeitures to the uſe of the King, and cauſe the other half to be levied to the uſe of the proſecutor by *Fieri facias* or *Capias*, and when the proſecution ſhall be at the Kings ſuit onely, to extract the whole to the King's uſe.

IX. None ſhall be puniſhed twice for the ſame offence.

X.

X. This Act ſhall not reſtrain the tranſporter of grain or cattel from Port to Port (allowed by three Juſtices of Peace, and not fore-ſtalling) ſo that he imbark the ſame within 40 days after he buyes them, and brings back from ſome Juſtice of Peace, or Head officer a Certificate of their unlading agreable to his Cocket.

XI. The offences againſt this Statute ſhall be proſecuted within two years.

XII. This Act ſhall not reſtrain a Drover allowed by three Juſtices of Peace (1. Qu.) and ſelling his cattel at 40 miles diſtance from the place where he bought them. Howbeit ſuch allowance ought not to continue above one year.

XIII. **Stat.** 13 *El.* 25. *in fine.* The Statute of 5, 6 *E.* 6. 14. ſhall not extend to Wines, Oyls, Sugars, Spices, Currants, or other forein victual brought from beyond Sea, Fiſh and Salt onely excepted.

XIV. *For more ancient Statutes againſt Foreſtalling, ſee the Statute of Foreſtallers,* 31 E. 1. *and the Statute of clothes,* 25 E. 3. 3. *Which becauſe they are altered by* 4, 5 E. 4. 14. *I have not thought them fit to be inſerted.*

☞ Franchiſes and Liberties.

I. **Magna Charta,** *Cap.* 1. 9 *H.* 3. The Church of *England* ſhall be free, and ſhall have all her holy Rights and liberties inviolable.

II. **Magna Charta,** *Cap.* 9. 9 *H.* 3. The City of *London,* and all other Cities, Burroughs, Towns, the Barons of the five Ports, and all other Ports ſhall have all their old liberties and free Cuſtoms.

III. **Magna Charta,** *Cap.* 37. 9 *H.* 3. All free and ancient liberties and cuſtoms of all perſons as well Spiritual as Temporal are reſerved, which the King himſelf promiſeth to obſerve, and commandeth all men of this Realm to do the like. He likewiſe further promiſeth, that neither he nor his heirs ſhall procure or do any thing to infringe them, and that if any thing be ſo procured, it ſhall be void.

VI. **Stat.** *De quo warranto,* 18 *E.* 1. If any can verifie by good enqueſt, or otherwiſe, that they or their Anceſtors or Predeceſſors have uſed any liberty, whereof they have been impleaded by *Quo warranto,* before the death of *R.* 1. and have hitherto (not having abuſed ſuch liberty;) They ſhall be adjourned to a reaſonable day before the Juſtices, within which time they may repair to the

the King, with the Record thereof, ſigned by the Juſtices ſeal, which done the King will confirm their eſtate; and if any judgments have been given upon ſuch writs by the Juſtices at *Weſtminſter*, upon the complaint of the party grieved to the King; he will give them remedy.

V. All pleas of *Quo warranto* ſhall be from henceforth pleaded and determined in the Circuit of the Juſtices, and all pleas now depending ſhall be adjourned into their proper Counties, until the coming of the Juſtices into thoſe parts. *Note that this Statute was confirmed by another Statute* De quo warranto, *of the ſame year, and to the ſame effect.*

VI. **Stat.** *De quo warranto*, 30 *E.* 1. The form of a Writ to be directed to the Sheriff to permit all men to injoy all ſuch liberties as they had before; and of a Proclamation, that ſuch as claim liberties ſhall ſhew to the Juſtices (at the firſt Aſſizes when they ſhall come into thoſe parts) how they hold them; for which they ſhall have forty days ſummons, and if they appear not, their liberties ſhall be ſeiſed in the name of diſtreſs. Alſo the form of another Proclamation, that ſuch as complain of the King's officers ſhall ſhew their grievances to the ſaid Juſtices.

VII. **Stat.** *De Tallagio non concedendo, Tempore* E. 1. *cap.* 4. All perſons ſhall have their, laws, liberties, and free cuſtoms as largely as they have uſed to have them, when they had them beſt: And if any Statutes or Cuſtoms have been made or brought in by us or our Predeceſſors, or if any article contained in this Charter be found contrary thereunto, they ſhall be void.

VIII. **Stat.** 1 *E.* 3. *Stat.* 2. 4. All Cities, Burroughs, and franchiſed Towns ſhall injoy all their franchiſes, cuſtoms, and uſages, as they ought and were wont to do.

IX. **Stat.** 14 *E.* 3. *Stat.* 1. *cap.* 1. Holy Church ſhall have her liberties in quietneſs: The great Charter and that of the Foreſt ſhall be holden in all points: and the City of *London* and all other Cities and Burroughs ſhall injoy all their Franchiſes and Cuſtoms which they have reaſonably had and uſed in times paſt.

X. **Stat.** 25 *E.* 3. *Stat.* 3. 1. All priviledges and franchiſes heretofore granted to the Clergy are confirmed, and ſhall be holden in all points.

XI. **Stat.** 6 *R.* 2. *Stat.* 1. 1. The Church of *England* ſhall have all her liberties whole and unhurt, and the ſame ſhall fully injoy and uſe.

XII. **Stat.** 7 *R.* 2. 1. Holy Church ſhall injoy all their liberties and franchiſes, as ſhe had them in the time of the King's

Pro-

Progenitors. The like is granted in 2 *R.* 2. 1. 3 *R.* 2. 1. 5 *R.* 2. 1. 12 *R.* 2. 1. & 1 *H.* 4. 1.

XIII. **Stat.** 2 *H.* 4. 1. The Church ſhall have her rights and liberties. All Lords ſpiritual and temporal, Cities, Burroughs and Towns enfranchiſed ſhall injoy their liberties and franchiſes, which they have lawfully uſed or have had by the grant of the King's predeceſſors, Kings of *England*. *Vide* 9 *H.* 4. 1. 13 *H.* 4. 1. 3 *H.* 5. 1. and 2 *H.* 6. 1. *which are in effect the ſame, ſave that they except ſuch Franchiſes as are repealed or repealable by the Common-Law.*

XIV. **Stat.** 27 *H.* 8. 24. None but the King ſhall have power to pardon treaſon or felony, or ſuch as are acceſſary to, or outlawed for the ſame, notwithſtanding any Grant, Uſage, Preſcription, Act, or other thing to the contrary.

XV. None ſhall make Juſtices in Eyre, of Aſſize, Peace, or Gaol-delivery, but only the King, and that by his Letters patents under the great Seal, and notwithſtanding any grant, &c.

XVI. All Writs, Indictments and Proceſſes in every County Palatine, or other liberty ſhall be made in the King's name, *Teſte* the owner of ſuch County Palatine or liberty; and here in every ſuch writ and indictment of any offence againſt the Peace, it ſhall be ſuppoſed to be done againſt the King's Peace, and not againſt the peace of any other perſon, notwithſtanding any Grant, &c.

XVII. Provided, that Juſtices of Aſſize, Gaol-delivery, and Peace in the County Palatine of *Lancaſter* ſhall be ſo made under the King's uſual ſeal of *Lancaſter*, notwithſtanding any Act.

XVIII. Provided alſo, that Corporations which have power to have Juſtices of Peace and Gaol-delivery, may have them ſtill, notwithſtanding this Act.

XIX. Stewards, Bailiffs, and other Miniſters of Liberties ſhall attend the Juſtices of Aſſize, Gaol-delivery, and Peace, and make due execution of Proceſſes to them directed within their liberties: and the Bailiffs there or their Deputies ſhall alſo attend and aſſiſt the Sheriff at the Gaol-delivery for execution of priſoners.

XX. Provided, that the laſt clauſe ſhall not be prejudicial to any Stewards or Bailiffs of Corporations, which are not compellable to attend or appear out of their Corporations.

XXI. The King ſhall have the fines iſſues, amerciaments and forfeitures, which ſhall be ſet upon, or loſt by Stewards, Bailiffs, or other Miniſters of Liberties, notwithſtanding any grant, &c. And amerciament, for inſufficient returns made by ſuch Stewards

or

or Bailiffs, ſhall be ſet upon their heads, and not upon the Sheriffs.

XXII. Purveyors may take proviſion within liberties, notwithſtanding any grant, &c. Provided, ſuch purveyors obſerve the Statutes made for them in that behalf.

XXIII. The King's officers may keep their Courts within the Verge, and his Clerk of the Market onely ſhall execute his Office there, notwithſtanding any Liberty but *London*.

XXIV. All Statutes made againſt Sheriffs, Under-Sheriffs, Bailiffs, or other Miniſters for any miſdemeanour concerning their Offices ſhall extend to Stewards, Bailiffs, and other Miniſters of Liberties.

XXV. Stewards and Bailiffs of Liberties, and their Deputies, and Clerks may execute their office above a year, notwithſtanding this laſt clauſe.

XXVI. All ſuch Juſtices to be made, as is aforeſaid rehearſed in this Act ſhall have power to hold their Seſſions of Peace, and to deliver the Gaols within their liberties, and to execute all other things within the ſame, in as ample manner as other Juſtices of Peace and Gaol-delivery do in any Shire, notwithſtanding any Act Grant, &c.

XXVII. The new Juſtices now to be made by the King within Liberties ſhall ſit, where ſuch Juſtices have commonly uſed to ſit before; and none within the ſaid Liberties ſhall be compellable to appear before any other Juſtices of the ſame Liberties.

XXVIII. Sir *Thomas Engleſield* now Juſtice of *Cheſter* annd *Flint* ſhall not be prejudiced by this Act.

XXIX. This Act ſhall not be prejudicial to Corporations, but they ſhall injoy ſuch liberties, fines, iſſues, amerciaments and forfeitures, as they did before the making thereof.

XXX. The Biſhop of *Ely* and his Steward for the time being ſhall be Juſtice of Peace within the ſame Iſle, notwithſtanding this Act; ſo alſo ſhall the Biſhop of *Durrham* and his Chanceller in that County Palatine, and the Biſhop of *York* and his Chancellor of *Hexam* within that Precinct.

XXXI. **Stat.** 32 *H.* 8. 20. The ſame franchiſes, that the late owners of Religious houſes had within three moneths before their diſſolutions ſhall be revived, and be actually in the King; and in the ſurvey of the Court of Augmentations: and the Stewards, Bailiffs, and Miniſters thereof ſhall account there, as other Officers accountants of the King in that Court have done.

XXXII. The Franchiſes of the late Religious houſes, which have come to the King's hands by attainder, ſhall be in the order of the Court

Court of general Surveyors: and the Stewards, Bailiffs, and other Miniſters thereof ſhall account there, as other officers accountants of the King in that Court have done.

XXXIII. The ſaid Stewards and other Officers ſhall be attendant and obedient in all other the King's Courts, as the officers of the ſaid late owners were: and no Sheriff or other forein officers ſhall intromit into their Liberties in any other manner then they lawfully might have done before the ſaid Franchiſes came into the King's poſſeſſion.

XXXIV. Every perſon may uſe all ſuch liberties as he hath by the King's grant or otherwiſe notwithſtanding this Act: alſo the offices, fees, annuities, and profits of all perſons out of any of the lands of the ſaid Religious houſes are ſaved.

XXXV. Fines may be levied in the Court of Augmentations of lands within that Survey to the King's uſe without fee, and the Juſtices of the Common Pleas ſhall receive and allow the ſame: alſo all deeds and obligations made to the King's uſe, which concern the ſaid lands, may be there inrolled without fee.

XXXVI. Provided that the King's Officers may keep Court within the Verge, and his Clerk of the Market, and none other execute his office there, notwithſtanding any grant, &c. Neither ſhall this act be prejudicial to the City of *London*.

XXXVII. The lands of the late Monaſtery of *Furnes*, and of the late Monaſteries and Priories of *Cartmele*, *Coningſhed*, *Barſtrough*, and *Holland*, and the Liberties and Franchiſes belonging thereunto, ſhall be in the Government of the Officers of the Dutchy of *Lancaſter*: and the Officers of thoſe liberties ſhall be liable to accompt, as other Officers of the Dutchy have uſed to be: they ſhall alſo be attendant on the King's Courts: and the Sheriff and other officers are prohibited to intromit into thoſe Liberties.

XXXVIII. This act ſhall not annul or diminiſh any of the liberties belonging to the ſaid Dutchy, or to the five Ports, or the members thereof.

XXXIX. **The Petition of Right**, 3 *Car.* None ſhall be compelled to make or yield any gift, loan, benevolence, tax, or ſuch like charge, without conſent by Act of Parliament, nor upon refuſal ſo to do ſhall be called to make anſwer, take any oath not warranted by Law, give attendance, or be confined, or otherwiſe moleſted concerning the ſame, or for refuſall thereof: Neither ſhall any Free-man be impriſoned or detained without cauſe ſhewed.

XL. The ſubject ſhall not be burthened by the quarter of Soul-

diers or Marriners: and all Commiſſions for proceeding by Martial Law ſhall be annulled, neither ſhall any of like nature be iſſued out hereafter, leſt the ſubject by colour thereof) be deſtroyed, or put to death, contrary to the Laws and Franchiſe of the Land.

XLI. What hath been done to the prejudice of the Subject in any of the premiſſes ſhall not hereafter be drawn into conſequence of example, and the King declares his pleaſure to be, that in the things aforeſaid all his Officers and Miniſters ſhall ſerve him, according to the Laws and Statutes of the Realm.

☞ Fraudulent Conveyances.

I. **Stat.** 50 *E.* 3. 6. Fraudulent aſſurances of lands or goods to deceive Creditors ſhall be void, and the Creditors ſhall have execution thereof, as if no ſuch gift had been made.

* II. **Stat.** 13 *El.* 5. All fraudulent Conveyances of lands, tenements, hereditaments, goods or chattels, and all ſuch bonds, ſuits, judgments and executions made to avoid the debt or duty of others, ſhall (as againſt the party onely, whoſe debt or duty is ſo endeavoured to be avoided, their heirs, ſucceſſors, executors, or aſſigns) be utterly void, any pretence, feigned Conſideration, or, &c. notwithſtanding.

III. Every of the parties to ſuch a fraudulent conveyance, bond, ſuit, judgment or execution, who being privy thereunto ſhall wittingly juſtifie the ſame to be done *bonâ fide*, and upon good conſideration, or ſhall alien and aſſign any lands, leaſe, or goods ſo to them conveyed, as aforeſaid, ſhall forfeit one years value of the lands, leaſe, rent, common, or other profit out of the ſame, and the whole value of the goods, and alſo ſo much money as ſhall be contained in ſuch covenous bond; and being thereof convicted ſhall ſuffer half a years impriſonment without bail. And here, the ſaid forfeitures are to be divided betwixt the Queen, and the party grieved.

IV. Common Recoveries againſt the tenants of the free-hold ſhall be good notwithſtanding this Act. And ſo ſhall all eſtates made for the procuring of a Voucher in *Formedon*: Neither ſhall this Act extend to grants made *bonâ fide*, and upon good conſideration to perſons not privy to ſuch Colluſion.

V. **Stat.** 27 *El.* 4. Every conveyance, grant, charge, incumbrance, and limitation of uſe or uſes of, in, or out of any lands or other hereditaments, made to defraud any purchaſer of the ſame in fee, for tail, for life or years, ſhall (as againſt ſuch purchaſer onely

onely, and every other perſon lawfully claiming from, by, or under him) be utterly void, the ſaid purchaſer having obtained the ſame for money or ſome other good conſideration.

VI. Every of the parties to ſuch fraudulent conveyances, or being privy thereunto, who ſhall juſtifie the ſame to be made *bonâ fide*, and on good conſideration, to the diſturbance or hinderance of the purchaſer or of any other lawfully claiming from, by, or under him, ſhall forfeit one years value of the lands or other hereditaments ſo purchaſed or charged, to be divided betwixt the Queen and the party grieved, and being thereof convicted ſhall ſuffer half a years impriſonment without bail.

VII. Conveyances made upon good conſideration and *bonâ fide* ſhall be good, notwithſtanding this Act.

VIII. If lands be firſt conveyed with clauſe, proviſion, or condition of revocation, determination, or alteration, and afterwards ſold or charged for money or other good conſideration, before the firſt conveyance was revoked, altered or made void, according to the power given thereby: In this caſe ſuch firſt conveyances ſhall be void againſt the vendee, and all others lawfully claiming from, by, or under him: Howbeit no lawful mortgage, made *bonâ fide*, without fraud ſhall be impeached by this Act.

IX. All Statutes Merchant, and of the Staple, ſhall within ſix moneths after their acknowledgment be entred in the office of the Clerk of Recognizances taken according to the Stat. of 23 *H.* 8. 6. and the Clerk there (upon ſhewing the ſame) ſhall make entry thereof, for which he ſhall have 8 d. and no more.

X. Every ſuch Statute, which is not within four moneths after the acknowledgment thereof, delivered to be entred accordingly, ſhall be void againſt the purchaſer of the lands chargeable therewith, and againſt his heirs, ſucceſſors, executors and aſſigns.

XI. The ſaid Clerk ſhall within the ſaid ſix moneths make entry of every Statute to him delivered, as aforeſaid, and ſhall indorſe thereupon the day and year of ſuch his entry with his own name, in pain to forfeit for every Statute ſo brought unto him, and not entred, as aforeſaid, 20 l. to be divided betwixt the Queen and the Proſecutor.

XII. The Clerk ſhall take for the ſearch of a Statute but 2 d. for every years ſearch, in pain to forfeit to the party grieved twenty times ſo much, as he takes above, to be recovered in any Court of Record by action of debt, &c.

XIII. Provided, that this Act ſhall not extend to make good any purchaſe made void by reaſon of any former conveyance, ſo as

the party ſo making void the ſame, his heirs or aſſignes were the firſt day of this Parliament in actual poſſeſſion of the lands, out of which any ſuch Purchaſe, Leaſe, Charge or Profit was made.

Free-hold.

I. Marlb. *Cap.* 22. 52 *H.* 3. None ſhall diſtrain his free-holders to anſwer for their Free-holds, or for any thing touching the ſame, without the King's Writ; nor cauſe his Free-holders to ſwear againſt their wills: for none may do that without the King's commandment.

II. Stat. 15 *R.* 2. 12. None ſhall be compelled to anſwer for his Free-hold, or for any other thing touching the ſame, or for any other thing real or perſonal, before the Council of any Lord or Lady; and if any be hereafter moleſted in that kind, and thereof complain to the Chancellor, he ſhall have remedy.

III. Stat. 16 *R.* 2. 2. The Statute of 15 *R.* 2. 12. ſhall be duly put in execution, and if any Lord, Lady, or other do to the contrary, they ſhall forfeit 20 l. to the King.

☞ Fuel.

* I. Stat. 7 *E.* 6. 7. The Aſſize of Fuel ſhall hereafter be, as followeth; Every ſack of coal ſhall contain 4 buſhels of good and clean coal: a Talſhid ſhall contain in length four foot beſides the carf: Every Talſhid name of *one* ſhall within a foot of the midſt be 16; of *two*, 23; of *three*, 28; of *four*, 33; and of *five*, 38 inches about: Alſo every Billet ſhall contain in length three foot 4 inches, and being named a ſingle, ſhall contain ſeven inches and an half about, a *caſt* 10; and two caſts 14: likewiſe a fagot bound ſhall be three foot long, and have the bond 24 inches about, beſides the knot.

II. Billets of two caſts may be made without danger of forfeiture, they being made according to the aforeſaid Aſſize, and marked within 6 inches of the midſt: but a Billet of one caſt ſhall be marked within four inches of the end thereof.

III. For every Talſhid, Billet, Fagot, or ſack of coals otherwiſe made and put to ſale, the maker and ſeller thereof ſhall forfeit 3 s. 4 d.

IV. None ſhall buy any ſuch Fuel, but Wharfingers or Barge-men or ſuch as will burn the ſame, or will retail it to ſuch as will burn it, in pain to forfeit the treble value of fuel otherwiſe bought: nei-

neither ſhall any alter any mark or Aſſize of fuel upon the like forfeiture: all which forfeitures are to be divided betwixt the King and the proſecutor, but are not recoverable, unleſs proſecuted within a year after the offence committed.

V. Here if the Offender be not able to ſatisfie the forfeiture, he ſhall (upon conviction by witneſſes or otherwiſe) be ſet upon the Pillory in the next Market-Town on the Market-day at 11 a clock by command of a Juſtice of Peace, or any other of the King's officers, having a Billet or Fagot bound to ſome part of his body.

VI. **Stat.** 43 *El.* 14. So much of the Statute of 7 *E.* 6. 7. as concerns the forfeiture of 3 s. 4 d. is repealed; but the Aſſize of Fuel ordained by that Act is ſtill continued, and injoyned to be obſerved in *London*, *Weſtminſter*, and all other Corporations where Tall-wood, Billet, and fagots are uſed to be ſold.

VII. If any bring any Tall-wood, Billet or Fagot to any City, Burrough, or Corporation to be ſold there, or being brought ſhall put the ſame to ſale, not being made according to the Aſſize limited by the Statute 7 *E.* 6. 7. or hereafter by this Act, upon information thereof, the Mayor or other Head-officer of ſuch City, Burrough, or Corporation ſhall ſwear ſix lawful men there to inquire thereof; And if the ſaid Fuel ſhall by them be found faulty, it ſhall be by ſuch Mayor or other Head-officer delivered to the Overſeers for the poor there, to be diſtributed to the poor there, as the ſaid overſeers ſhall think fit.

VIII. Every Tall-ſhid marked *one*, being round-bodied ſhall contain 16 inches and an half in compaſs, being half round, 19 and quarter cleft, 18 inches and an half: being marked *two*, and round 23 inches; half round, 27; and quarter cleft 26; marked *three*, and round, 28. half round, 33; quarter cleft, 32: marked *four*, and round, 33; half round 39; quarter cleft, 38: and marked *five*, and round, 38; half round, 44; and quarter cleft, 43; all which are to be meaſured about within ſix inches of the midſt thereof, and are to contain the length limitted by the Statute of 7 *E.* 6. 7.

IX. In all other forms of cleaving of Tall-wood, which will not admit the former manner of cleaving, nor any of theſe, the letter of the ſaid Statute of 7 *E.* 6. is to be obſerved.

X. Every Billet named a *ſingle*, ſhall contain in compaſs, being round, 7 inches and a half, and no ſingles ſhall be made out of cleft wood.

XI. Every Billet marked *one*, (called a *caſt*) being round ſhall contain in compaſs 11 inches; half round, 13; quarter cleft, 12

and an half, and marked *two* (called *two caſts*) being round ſhall contain in compaſs 16 inches; half round, 19; and quarter cleft 18 and an half; and in all other forms of Billet, which will not admit the former manner of cleaving, and touching the length of Billet, the letter of the ſaid Statute of 7 *E.* 6. is to be obſerved.

XII. A Fagot ſhall contain in compaſs (beſides the knot, 24 inches, and every fagot-ſtick ſhall be three-foot long, except one, which may be but a foot long, to ſtop and harden the binding of the fagot the better.

☞ Fuſtions.

* I. **Stat.** 11 *H.* 7. 27. None ſhall dreſs Fuſtions with any other Inſtruments then the broad Sheers, in pain of 20 s. for every ſuch default, to be divided betwixt the King and the proſecutor.

II. The Maſter and Wardens of Sheermen in *London* ſhall have power to ſearch the workmanſhip of ſuch as uſe the broad-ſheer, as well for Fuſtion as Cloth; and this Act ſhall be executed as well againſt denizons as ſtrangers.

* III. **Stat.** 32 *El.* 13. The Mayor of *London* or his Deputy, and the Maſter and Wardens of the Myſtery of Cloth-workers there, or ſuch diſcreet perſons as the ſaid Maſter and Wardens ſhall appoint may make ſuch ſearch as the ſaid Maſter and Wardens of Sheer-men might do together by the Statute of 11 *H.* 7. 27. And none ſhall reſiſt ſuch ſearch, in pain of 20 s. to be divided betwixt the King and the proſecutor.

Gaming: *See* Plaies and Games.

Gauging.

* I. **Stat.** 27 *E.* 3. 8. *Stat.* 1. ALL Wines white and red brought into the King's Dominions, ſhall be lawfully gauged by the King's Gaugers or their Deputies; and none ſhall reſiſt them, in pain to forfeit the Wines, to be impriſoned, and to be ranſomed at the King's will.

II. If the Gauger be not ready to do his office upon requeſt, or uſe fraud therein, he ſhall pay to the party grieved treble dam-

mages,

mages, loſe his office, and be impriſoned, and ranſomed at the Kings will.

III. If the veſſel want due meaſure, the value of that want ſhall be deducted out of the price thereof.

* IV. **Stat.** 31 *E.* 3. 5. If any ſell a tun or pipe of wine not gauged, he ſhall forfeit the ſame wine or the value thereof to the King.

* V. **Stat.** 4 *R.* 2. 1. The former Statutes made for gauging ſhall be duly put in execution: and all other veſſels of Wine, Vinegar, Oyl, Honey, and other liquors gaugeable (brought into the King's Dominions) ſhall be lawfully gauged by the Gaugers thereunto aſſigned, or their Deputies; and if any reſiſt them, or if they be found faulty, both the one and the other ſhall incur the pains ordained by the former Statutes.

VI. **Stat.** 14 *R.* 2. 8. None ſhall be moleſted for not gauging of Reniſh wines, nor incur any forfeiture for the ſame, otherwiſe then hath been uſed of old time.

* VII. **Stat.** 18 *H.* 6. 17. All Tuns, Pipes, Tertians, and Hogſ-heads of Wine and Oyl (to be ſold within the Realm) ſhall be lawfully gauged by the King's Gauger or his deputy before they be ſold, in pain to forfeit to the King the Wine, Oyl and Honey otherwiſe ſold, or the value thereof.

VIII. If any ſell any ſuch veſſel wanting the due meaſure, he ſhall abate ſo much of the price as it wants of meaſure, in pain to forfeit to the King the value of ſuch Wine, Oyl, or Honey otherwiſe ſold.

IX. The Informer who will diſcover ſuch forfeitures to the Lord Treaſurer, or Barons of the Exchequer ſhall receive half thereof for his labor.

* X. **Stat.** 23 *H.* 6. 16. The Gauge-peny ſhall not be paid to the Gauger, or any other in his name, before he or his Deputies have gauged the Wines, and then he may take it and no more.

XI. He or his deputy ſhall (upon requeſt) be ready to do their office: and this Act is to be obſerved throughout the Realm, upon the pain comprized in the Statute of 27 *E.* 3. 8.

* XII. **Stat.** 31 *E.* 8. No Brewer ſhall ſell or put to ſale in *London*, the ſuburbs, or within 2 miles compaſs of the Suburbs any Beer or Ale in Buts, Pipes, Punchions, Hogſ-heads, Tierces, or ſuch other veſſel brought from beyond Sea, and never lawfully gauged within this Realm, before the ſame be lawfully gauged, and the true content thereof ſet down thereupon (by the Gallon, appointed for Beer and Ale, according to the Standard) by the Maſter and Wardens of the Coopers of the City of *London*, or their Deputies: nei-

ther ſhall any Brewer ſell or put to ſale any Beer or Ale, in ſuch veſſel elſewhere in *England* or *Wales* before the ſame be lawfully gauged, and the true content thereof ſet thereupon, by ſuch as by the Statute of the 23 *H.* 8. 4. (which ſee in *Coopers*) are to have the Gauging of Barrels, Kilderkins, and Firkins elſewhere in *England* and *Wales*, in pain to forfeit every ſuch veſſel, and alſo the Beer and Ale therein, to him that will ſeize the ſame, and beſides 10 s. for every ſuch veſſel: all which forfeitures are to be divided betwixt the Queen and the proſecutor.

XIII. The fees of the Gauger ſhall be for every But or Pipe, a penny, for every Puncheon, Hogſ-head or Tierce an half-penny, and for every other veſſel after the like rate.

XIV. This Act ſhall extend to Denizons as well as to ſtrangers; and the Gauger may retain the veſſel, until he be paid his fee.

XV. The Maſter and Wardens of the Coopers in *London* or their Deputies or Deputy within 48 hours after requeſt to them made ſhall come to any perſon in *London*, or the Precinct aforeſaid, and ſhall gauge and mark his veſſel, in pain of forfeiting to him that makes ſuch requeſt 20 s. to be recovered by action of debt, &c.

XVI. This Act ſhall not extend to puniſh the Brewer that ſhall fill veſſels, which are imported, and after they are ſo filled are immediately to be exported to be ſent elſewhere out of this Realm.

Gigmills.

I. **Stat.** 5, 6 *E.* 6. 22. None ſhall uſe any Gigmill for the working of any wollen Cloth, in pain to forfeit for every Cloth ſo uſed 5 l. to be divided betwixt the King and the proſecutor.

☞ Gold, ſilver, and Gold-ſmiths.

* I. **Artic. ſup. Cart.** *Cap.* 20. 28 *E.* 1. None ſhall make or cauſe to be made any Veſſel, Jewel, or other thing of Gold or Silver, except it be of good and true alloy, *viz.* gold of a certain touch, and ſilver of the ſterling alloy or better, and none ſhall work worſe ſilver then money.

II. No veſſel of ſilver ſhall depart out of the worker's hand, until it be aſſayed by the Wardens of the craft and marked with the Leopards head: neither any work worſe gold then of the touch of *Paris*; and the ſaid Wardens ſhall go from Shop to Shop to aſſay gold, whether it have the right touch, and if any other be found, it ſhall be forfeit to the King.

III.

III. None ſhall make rings, croſſes, or locks, nor ſet any ſtone in gold, unleſs it be natural: And Gravers of ſtones and ſeals ſhall give to each their weight of Silver and Gold, as near as they can.

IV. The Jewels of baſe Gold, which they have they ſhall utter as ſoon as they can, and if they buy any ſuch work hereafter, they may buy it to work upon, but muſt not ſell it.

V. The Gold-ſmiths of all other places in *England* ſhal be governed by this law, and one ſhall come from each Town to *London* to be aſſertained of their touch.

VI. If any Gold-ſmith offend againſt this Law, he ſhall ſuffer impriſonment, and be ranſomed at the King's will.

VII. This Act ſhall not impeach the King's prerogative.

VIII. **Stat.** 27 *E.* 3. 14. All Merchants, Denizons and ſtrangers may import plate of Silver and billets of Gold, and all other Gold and Silver to the Kings Bullion or his Exchanges, taking their Gold or Silver equal to the value; And any man take forreign coin without impeachment, yet he may refuſe it if he pleaſe.

IX. No coin ſhall be currant in the King's Dominions, but his own; neither ſhall any export Gold ſterling or other money, ſave onely that which is new, except Merchanrs ſtrangers, who importing money, will imploy the ſame within this Realm, in which caſe they may export without impeachment ſo much as they import, or ſo much thereof as ſhall not be ſo imployed: Howbeit lawful ſearch thereof ought to be made in the Port where they arive, and the money ſo imported, muſt be put in writing by the ſearchers, to the end they may not export more then they import; but here, no Officer (by colour of ſuch ſearch) ſhall unduly vex the Merchant ſtranger.

X. All falſe money ſhall be forfeited to the King.

* XI. **Stat.** 7. *E.* 37. Every Gold-ſmith ſhall make his work of Silver lawfully of the Alloy of good ſterling, and ſhall have a proper mark by himſelf, made known to ſuch as ſhall be aſſigned by the King to ſurvey his work or alloy.

XII. The Gold-ſmith ſhall not ſet his mark thereunto, until the ſurveyors have made their eſſay, as ſhall be ordained by the King and his Council; And when the eſſay is made, the ſurveyors ſhall ſet to the King's mark, and after the Gold-ſmith his mark.

XIII. No Gold-ſmith ſhall take for veſſel white and full for the weight of a pound (*viz.* of the price of two marks of *Paris* weight) but 18 pence, as they do at *Paris*.

XIV. If the Gold-ſmith be found in default, he ſhall forfeit his falſe metal to the King.

* XV. **Stat.** 5 *H.* 4. 13. None ſhall gild any Rings or other things made of Copper or Lattin, ſave onely ornaments of the Church (beſide

ſides Chalices, the metal plainly appearing in ſome part thereof) in pain to forfeit 5 l. to the King, and damages to the party deceived by them.

XVI. Stat. 2 *H.* 5. *Stat.* 2. *cap.* 4. Goldſmiths ſhall gild no Silver wares, but of the alloy of Sterling, and ſhall not take above 46 s. 8 d. for a pound of Troy Silver ſo guilt, and for more or leſs after the ſame rate, in pain to forfeit to the King the value of the thing otherwiſe ſold.

* XVII. Stat. 8 *H.* 5. 3. None ſhall gild ſheaths, or any metal but Silver, and the ornaments of holy Church; neither ſhall any Silver, any metal but Knights ſpurs, and the apparel pertaining to a Baron or above that eſtate, in pain to forfeit ten times the value of the thing ſo gilt, and to ſuffer a years impriſonment, he alſo that will ſue for the ſaid forfeiture ſhall have a third part thereof for his pains.

☞ XVIII. Juſtices of Peace have power to hear and determine the offences committed againſt this Act.

* XIX. Stat. 2 *H.* 6. 14. None ſhall ſell any work of Silver, unleſs it be as fine as ſterling, except what ſowder is neceſſary to be uſed therein, for which allowance ſhall be made accordingly.

XX. None ſhall put to ſale any Silver harneſs in *London* before it be touched, and alſo marked with the Goldſmith's mark, firſt made known to the Wardens of that Craft, in pain to forfeit the double thereof.

XXI. If the Keeper of the Touch mark ſuch harneſs with the Leopards head, which is not as fine as ſterling, he ſhall forfeit the double value thereof to the King, and damages to the party grieved.

XXII. *York*, *Newcaſtle*, *Lincoln*, *Norwich*, *Briſtol*, *Saliſbury*, and *Coventry*, ſhall have ſeveral touches (according to the Ordinances of the chief Officers there) which ſhall be directed by the orders of *London* upon the like forfeiture.

XXIII. No Goldſmiths elſewhere, where there is no touch ſhall put to ſale any work of Silver under the fineneſs of ſterling, and ſhall ſet their mark thereupon before they ſo put it to ſale, upon the like forfeiture.

☞ XXIV. All Juſtices of Peace may hear and determine the offences committed againſt this Act: Howbeit, if the Mint-maſter offend, he ſhall be puniſhed according to the form of his Indentures, *Vide Stat.* 2 *H.* 6. 12. in title *Money*.

* XXV. Stat. 4 *H.* 7. 2. No Finor of Gold and Silver ſhall alloy any fine Silver or Gold, nor ſell it, (ſave onely to the Officers of the Mint, Changers, and Goldſmiths for the amending of Coin and Plate,

plate, for which he ſhall receive the true value) in pain to forfeit the value of the Gold or Silver ſo alloyed or ſold, to be divided betwixt the King and the finder.

XXVI. Neither ſhall any ſuch Finor ſell any ſilver in Maſs molten, and alloyed, in pain to forfeit the ſame, to be divided betwixt the King and the finder.

XXVII. All fine Silver, which is to be parted, ſhall be made, ſo fine, that it may bear 12 penny weight of alloy in a pound weight, and yet remain as good as ſterling: and every Finor ſhall put his ſeveral mark upon ſuch fine Silver, in pain to forfeit the value thereof, to be divided betwixt the King and the finder.

XXVIII. No Goldſmith ſhall melt or alloy any fine Silver, except it be for making of Amels, Goldſmiths work, or mending of Plate to make it as good as ſterling, neither ſhall he ſell any fine or alloyed Silver molten into maſs to another Goldſmith, and to any other perſon whatſoever.

XXIX. This Ordinance ſhall be obſerved by all Goldſmiths, in pain to forfeit their Silver or the value thereof, to be divided betwixt the King and the finder.

* XXX. *Stat.* 18 *El.* 15. No Goldſmith ſhall work, ſell, or exchange any Goldſmiths ware of Gold under 22 carets fine, nor ſhall put more ſother, amel, or other ſtuffings in his work then is neceſſary for the finiſhing thereof; neither ſhall he take above 12 d. for the ounce of Gold (beſides the faſhion) more then the buyer may be allowed for it at the Queen's exchange or Mint, in pain to forfeit the value of the thing ſo ſold or exchanged.

XXXI. No Goldſmith ſhall make, ſell, or exchange any Goldſmiths ware of Silver, leſs in fineneſs then 11 ounces and two penny weight, or take above 12 d. for every pound weight of ſuch ware (beſides the faſhion) more then the buyer may be allowed for it at the Queen's exchange or mint, nor put to ſale any Silver work, before he hath ſet his own mark to ſo much thereof as may conveniently bear the ſame, in pain to forfeit the value of the thing ſo ſold or exchanged.

XXXII. If any Goldſmiths work be marked and allowed by the Wardens or Maſters of that Myſtery, and be afterwards found faulty; the Wardens and Corporation of the ſaid Myſtery ſhall forfeit the value of the thing ſo ſold or exchanged.

XXXIII. The ſaid forfeitures are to be divided betwixt the Queen and the party grieved.

XXXIV. *Stat.* 14 *Car.* 2. *cap.* 3. None ſhall melt any currant money of this Realm, upon penalty of the double value, beſides the coyn melted.

XXXV.

XXXV. Perſon offending therein, if free-men of any City or Corporation ſhall be diſfranchiſed & diſabled from uſing any trade and not being free-men of any Corporation ſhall ſuffer ſix moneths Impriſonment.

Grants.

I. Stat. 3, 4 *E.* 6. 4. An exemplification of the inrolment of the King's Letters Patents under the Great Seal ſhall be of a good force to be ſhewed or pleaded in behoof of the Patentees, their heirs, ſucceſſors and aſſigns, or of any other having any ſtate from, by, or under them, or any of them; or by any other means under the date of ſuch Letters Patents, as if the Letters Patents themſelves were produced.

II. Stat. 13 *El.* 6. An exemplification of the inrolment of the Letters Patents by *H.* 8. *E.* 6. Qu. *M. Ph.* & *M.* Qu. *El.* or any of them ſince the 4th of *Febr.* in the 27 year of *H.* 8. or hereafter to be granted by the Queen, her heirs or ſucceſſors ſhall be of as good force to be ſhewed or pleaded in behoof of the Patentees, their heirs, ſucceſſors and aſſigns, and every other perſon having any eſtate from, by, or under them, or any of them, as well againſt the Queen, her heirs and ſucceſſors, and againſt all other perſons whatſoever, as if the Letters Patents themſelves were produced.

☞ Gunpowder.

I. Stat. 16. 17 *Car.* 21. An Act for the free bringing in of Gunpowder and Salt-peter from forreign parts, and for the free making of Gunpowder in this Realm: *See the Statute at large. And ſee title Cuſtomes and Cuſtomers, num.* XXXIV.

Hats and Caps.

* I. Stat. 8 *El.* 11. NOne by himſelf or any other ſhall work Hats or Felts with forreign wool or ſtuff, unleſs he hath been Apprentice or Covenant-ſervant ſeven years at leaſt to the myſtery of Hat or Felt-making, in pain to forfeit the Hats or Felts he ſhall make or cauſe to be made, and alſo 5 l. for every moneth he ſhall ſo continue.

II. None ſhall make, ſell, or cauſe to be made or ſold any thing of Felt but Hats; nor any cap of any wollen cloth not knit, nor dye

or

or cauſe to be dyed any Cap with bark or ſwarfe, but onely with Copperas and Gall, or with Woad and Madder.

III. None ſhall full in any Mill any Cap, until it be firſt well ſcoured and cloſed upon the bank, and half thicked (at leaſt) in the foot-ſtock.

IV. The Maſter and Wardens of Haberdaſhers in *London*, calling to them one of the Company of Cappers, and another of the Hat-makers ſhall have power to ſearch (in *London*, and within three miles round) all Cappers and Hatters, and to puniſh them that offend, by fines or otherwiſe, as they do other offenders in that Company. The like alſo ſhall be done by Mayors and other Head-officers in other Cities and Corporations elſewhere.

V. No Hat-maker ſhall retain above two apprentices at once, take any for leſs time then ſeven years, in pain to ſuffer for every apprentice otherwiſe taken a moneths impriſonment without bail, and every ſuch taking ſhall be void; and the party ſo taking ſhall be from henceforth diſabled to have any more apprentices then one.

VI. This Act ſhall not reſtrain a Felt or Hat-maker to imploy his own children, nor extend to the making of Hats with Worſted yarn in *Norwich*.

* VII. **Stat.** 1 *Jac.* 17. The forfeitures and penalties given by the Statute of 8 *El.* 11. and alſo by this preſent Statute ſhall be divided betwixt the King and the proſecutor.

VIII. None ſhall make or cauſe to be made any Felt or Hat, unleſs he hath ſerved ſeven years as an apprentice in Felt-making, neither ſhall he retain any other then Journey-men who have lawfully ſerved in that art, and apprentices lawfully bound to the ſame, nor have above two apprentices at once, nor thoſe for leſs time then ſeven years; in pain to forfeit five pounds for every moneth he offends contrary to this Statute.

IX. None ſhall retain in the art of Hat or Felt-making any perſon born out of the King's Dominions, in pain to forfeit five pounds for every moneth he ſo continues him.

X. This Act ſhall not prohibit parents lawfully excerciſing the ſaid art, to imploy their ſons in their own houſes, ſo that they be bound apprentices by Indenture for 7 years, which may not expire, until they attain the age of 22 years.

XI. Felt-makers at the time of this Statute, and their ſervants may ſo continue, albeit they have not ſerved ſeven years as apprentices.

☞ Havens,

☞ Havens, Harbours, and Rivers.

I. **Stat.** 2 *H.* 6. 15. None ſhall faſten Trinks or other Nets over Rivers to the deſtruction of the frie of fiſh, and diſturbance of the common paſſage of veſſels, in pain to forfeit 5 l. to the King: Howbeit they may uſe them in ſeaſonable times, ſo they draw them as other fiſhers do their nets without faſtning them, as aforeſaid: And here every man's right of fiſhing is ſaved.

II. **Stat.** 4 *H.* 7. 15. The Mayor of *London* and his ſucceſſors ſhall have the like conſervation and authority in all the iſſues, breaches and ground overflown, as far as the water ebbeth and flowerh, grown out of the River of *Thames* (as touching the puniſhment for uſing unlawful nets and engines) as he hath within the ſame River.

* III. **Stat.** 23 *H.* 8. 8. & 27 *H.* 8. 23. Two ſeveral Acts were made to the ſame effect, for preſervation of the Havens and Ports of *Plimouth*, *Dertmouth*, *Tinmouth*, *Falmouth*, *Fowet* and other Ports in *Devon* and *Cornwall*: and that none ſhould labour in Tinworks neer the freſh Rivers of thoſe Havens: and thoſe who labour in Tinworks ſhould prevent the falling of ſtones and gravel into thoſe Havens upon a forfeiture: Alſo, if any ſhould be troubled in the Stannery for executing this Act, ſuch ſuite ſhould be void, ☞ and if any ſhould be impriſoned by the Stannery, he ſhould be diſcharged by a Juſtice of Peace: ſaving the liberties of the Stanneries: *See the Statutes at large.*

* IV. **Stat.** 23 *H.* 8. 18. No Fiſh-garthes or other engines ſhall be ſet in *Ouſe* or *Humber*: and with what nets men ſhall fiſh there: *See this Statute at large.*

* V. **Stat.** 27 *H.* 8. 18. If any perſon do or procure any thing to be done to the annoying of *Thames*, making of ſhelpes there, by mining, digging, caſting of dung, rubbiſh, or other thing therein, or otherwiſe howſoever: Or convey away any boards, ſtakes, timberwork, pillers, or other things from the banks or walls thereof, except it be to repair them; or undermine any banks or walls there to the damage of the ſaid River: he ſhall forfeit for every ſuch offence 5 l. to the King and the Mayor and Commonalty of *London*, to be recovered by the ſaid Mayor and Commonalty.

VI. This Act ſhall not reſtrain the taking of ballaſt for ſhips in the ſhelpes neer the *Thames*, nor to carry away the gravel, earth, or rubbiſh found in the ſaid ſhelpes. *See alſo this Statute at large.*

VII. **Stat.** 31 *H.* 8. 4. The Mayor and Bailiffs of *Exceſter* may break all weares and other lets in the River of *Exe*, and ſhall pay

to

to the owners and Fermors of ſo much ground as they ſhall digge, the rate of 20 years purchaſe or ſo much as ſhall be adjudged by the Juſtices of Aſſize in the County of *Devon*. *See this alſo at large.*

* VIII. **Stat.** 34 *H.* 8. 9. None ſhall caſt or unlade out of any ſhip or veſſel in any Haven, Rode, Channel, or River flowing or running to any Port, Town, City, Burrough, or other Town, any ballaſt, rubbiſh, gravel, or other wrake or filth, but onely upon the land above the full Sea-mark, in pain of 5 l. to be divided betwixt the King and the proſecutor.

IX. **Stat.** 27 *El.* 20. It ſhall be lawfull for the Mayor and Commonalty of *Plimouth* to dig a trench 6 or 7 foot broad through all grounds lying betwixt *Plimouth* and any part of the River of *New*, for conveying that River thither, and to repair it, and to do all other things neceſſary for the ſame, they paying the owners and farmers of the grounds ſo to be digged the value thereof to be aſſeſſed by two Juſtices of Aſſize. Howbeit that water ſhall not be conveyed through any Orchard, Garden, or to the hindrance of any Mill without the owners conſent.

X. **Stat.** 27 *El.* 21. An Act concerning *Oxford* Haven in *Suffolk*.

XI. **Stat.** 27 *El.* 22. An Act for making a new channel from the City of *Chicheſter* to the ſuburbs there: *See theſe two laſt Statutes at large.*

XII. **Stat.** 3 *Jac.* 18. An Act for the making of a new trench to convey the water from *Cadwell* and *Amwell* to *London*.

XIII. **Stat.** 4 *Jac.* 12. An Act for the explanation of the *Stat.* of 3 *Jac.* 18. and to give power to the Mayor and Commonalty of *London* to convey the ſaid water in a trunk or vault.

XIV. **Stat.** 14 *Car.* 2. *cap.* 27. An Act for repairing of *Dover* Harbour, and for ſuch proviſion as was made by an Act 1 *Jac. cap.* 32. (exp.) certain duties are impoſed, the Owners and Maſters of Ships repairing thither to be paid to the Treaſurer of the ſaid Harbor, by the Collectors appointed for the ſame.

XV. The Maſter and Wardens, of the Trinity houſe *London* appointed to overſee the works of the ſaid Harbour and to call the Treaſurer and Collectors to accompt yearly for 7 years.

XVI. The Harbour being repaired, the ſaid Maſter and Wardens, are to inform the Lords of the Privy-council, who may thereupon ſuſpend further payments upon this Act.

XVII. *Proviſo*, To exempt from any payment, all Ships and Veſſels belonging to the Ports of *Weymouth*, and *Melcome Regis*, and *Lyme Regis*, and not to extend to any Collection exceeding 22000 l. and then to ceaſe.

See title *Dover*.

☞ Hawks

☞ Hawks and Hawking.

I. **Stat.** 34 *E.* 3. 22. A Hawk taken up ſhall be delivered to the Sheriff, who after Proclamation made in the good Towns of the County (if challenged) ſhall deliver her to the right owner.

II If the Hawk were taken up by a mean man, and be not challenged within four moneths, the Sheriff ſhall retain her, ſatisfying the party for taking her: But if by a man of eſtate, who may conveniently keep an Hawk, the Sheriff ſhall reſtore her to him again, he anſwering for the charge of keeping her.

III. If any do take away or conceal a Hawk, he ſhall anſwer the value thereof to the owner, and ſuffer two years impriſonment, and in caſe he be not able to anſwer the value, he ſhall remain in priſon a longer time.

IV. **Stat.** 37 *E.* 3. 19. He that ſteals and carries away an Hawk, not obſerving the ordinance of 34 *E.* 3. 22. ſhall be deemed a Felon.

Hexhamſhire.

I. **Stat.** 14 *El.* 13. *Hexham* and *Hexamſhire* with the liberties thereof ſhall be within the County of *Northumberland*.

Hides *ſee* Leather.

☞ High-wayes.

I. **Stat.** 14. 15 *H.* 8. 6. An Act was made for the altering of the High-ways in the weld of *Kent*. *See the Statute at large.*

II. **Stat.** 26 *H.* 8. 7. The Stat. of 14. 15 *H.* 8. ſhall extend to *Suſſex*.

III. **Stat.** 37 *H.* 8. 3. An Act for the keeping of *Huntington* land near *Cheſter* in good repair. *See the Statute.*

* IV. 1 *M. Parl.* 2. *cap.* 5. Juſtices of the Counties of *Dorſet* and *Somerſet* ſhall aſſeſs thoſe Countreys, towards the repair of the cawſey lying betwixt *Shaftsbury* and *Sherborn*. *See the Statute.*

V. **Stat.** 2, 3 *P. M.* 8. The Conſtable, and Churchwardens of every Pariſh ſhall yearly upon Tueſday or Wedneſday in *Eaſter*-week call together ſome of their neighbours, and then make choice of two within the Pariſh to be Surveyors of the High-ways the year following, who ſhall forthwith take that office upon them, in pain to forfeit 20 s. apiece: The ſaid Conſtables and Churchwardens ſhall then alſo nominate four days betwixt that time and *Midſummer* to be ſet apart for the amendment of the High-ways, and

ſhall

ſhall give publick notice thereof in the Chuch the next Sunday after *Eaſter*.

VI. The Officers and days being thus appointed, every one having a team, or Plough-land either in arable or paſture, is chargable to ſend 2 able men with a team and tools conveniient to work 8 hours upon every one of thoſe 4 days, in pain to forfeit 10 s. for every day that default is made: And every Cottager is bound to work himſelf, or to find a ſufficient labourer to work for him, as aforeſaid in pain to forfeit 12 d. for every day.

VII. The Surveyors have power to appoint inſtead of a team, two able labourers to work, as aforeſaid, who ſhall not fail, in pain that the party, who ſhould ſend them, ſhall forfeit 12 d. for every day that either of them makes default.

VIII. Stewards in Leets have power to enquire after the breach of this Act, and to ſet fines upon ſuch as make default at their diſcretion, and ſhall within ſix weeks after *Michaelmas*, deliver indented eſtreats thereof under their hands and ſeals, *viz.* one to the Bailiff or High-Conſtable of the Liberty, and the other to the Conſtables and Churchwardens of the Pariſh, where the default was made.

IX. In default of preſentment thereof in Leets the Juſtices of Peace in Seſſions ſhall inquire thereof, and ſet ſuch fines as they or two of them (1 *Qu.*) ſhall think fit, whereof the Clark of the Peace ſhall alſo deliver indented eſtreats under his hand and ſeal, in like ſort as aforeſaid.

X. Their eſtreats ſhall be a ſufficient warrant for the Bailiff or Chief Conſtable to levy the ſaid fines by way of diſtreſs; and if no diſtreſs can be found, or the party do not pay the fine within 20 days after lawful demand thereof, he or they ſhall forfeit double ſo much: All which fines and forfeitures ſhall be imployed towards the amendment of the High-ways.

XI. The Bailiff or High-Conſtable, ſhall yearly betwixt the firſt of *March* and the laſt of *April*, render unto the Conſtables and Churchwardens, unto whom the other part of the eſtreats was delivered a true accompt of the money received by him, in pain of 40 s. and the ſaid Conſtables and Churchwardens have power to call the ſaid Bailiff or High-Conſtable before two or more Juſtices of Peace (1 *Qu.*) to paſs his accompt, who have power to commit him until he ſhall have ſatisfied all the arrearages by him received, ſave 8 d. in the pound for his own fee, and 12 d. in the pound for the fee of the Steward or Clark of the Peace, and in this caſe the ſucceeding Conſtables and Churchwardens have the ſame power, that their predeceſſors had.

* XII. Stat. 5 *El.* 13. It ſhall be lawful for the Surveyors to turn a Water-courſe (hurtful to the High-way) into any man's ditch, or to take rubbiſh ready digged in or near any man's quarter; and for default of gravel, &c. elſewhere to dig in any ſeveral ground, ſo they forbear to dig in Houſes, Orchards, Gardens, and Meadows, or to make a pit above 10 yards: but if they fill not the place again with earth (to be done at the coſts of the Pariſh) within one moneth after it ſhall be ſo digged, they ſhall forfeit 5 marks to the owner of the ground, to be recovered by Action of debt.

XIII. The hedges and ditches adjoyning to the High-way ſhall be kept low and ſcoured, and the trees and buſhes growing in the High-way cut down by the owners of the grounds, which ſhall be incloſed by the ſaid hedges and ditches.

XIV. Inſtead of the four days appointed by the *Stat.* of 2, 3 *P. M.* 8. 6. days ſhall hereafter be obſerved.

XV. The Surveyors, or one of them, ſhall preſent every default within one moneth after it ſhall be made to the next Juſtice of Peace, in pain of 40 s. and the ſaid Juſtice of Peace ſhall certifie the ſame preſentment at the next General Seſſions, in pain of 5 l. where the Juſtices ſhall have power to inquire of the default, and ſhall ſet ſuch fine upon the Delinquent, as they, or two of them, (1 *Qu.*) ſhall think fit.

XVI. Here the preſentment of a Juſtice of Peace in Seſſions, upon his own knowledge ſhall be a good conviction, whereupon the Juſtices in Seſſions or any two of them (1 *Qu.*) may aſſeſs a fine, as well as upon a verdict of 12 men: Howbeit the Delinquent ſhall here be admitted to his traverſe, as in other caſes.

XVII. The fines aſſeſſed in Seſſions ſhall be eſtreated by the Clerk of the Peace levied, accounted and imployed, as by the *Stat.* of 2, 3 *P. M.* 8. is provided.

XVIII. Stat. 18 *El.* 10. A Subſidy-man according to 5 l. in goods or 40 s. in lands, not chargeable towards the High-ways by the Stat. of 2, 3 *P. M.* 8. ſhall find two able men to labour in the ways, as by the ſaid Statute is appointed.

XIX. Every perſon having a Plough-land in ſeveral Pariſhes, ſhall be chargeable with a team or draught in that Pariſh onely where he dwels: Howbeit having intire Plow-lands in ſeveral Pariſhes, he ſhall for every one of them find a team in the ſeveral Pariſhes where they lie, although he be not inhabitant there.

XX. Every perſon not ſcouring his Ditches, or not keeping low his hedges, trees, and buſhes according to the Statute of 5 *El.* 13. ſhall forfeit for every ſuch default 10 s. and he that ſcours not his ditches in the ground next adjoyning to the ground, which is next

the

the High-way, to the end the water may have the better passage over the said ground next the High-way, shall forfeit 12 d. for every rod so left unscoured.

XXI. None shall cast the scouring of his ditch into the High-way, and suffer it to lie there six moneths, in pain to forfeit 12 d. for every load, and it shall be lawfull for the Surveyors to make sluces, where any such banks have been heretofore cast up.

XXII. The penalties forfeited upon this Statute shall be levied by the Surveyors for the time being by distress and sale of goods, and shall be imployed towards the amendment of the High-ways; but if the Surveyors neglect to do it within one year after the offence committed, the Constable and Churchwardens shall do it, according to the provisions of the before-recited Statutes.

XXIII. Justices of Assize, *Oyer* and *Terminer*, Justices of Peace in Sessions, Stewards in Leets, have power to hear and determine the said offences.

XXIV. Certain provisions for the repair of *King's Ferry* in the Isle of *Shippey*, and of the ways leading thereunto.

XXV. Stat. 39 *El.* 19. An Act for the repair of the High-ways in the welds of *Sussex*, &c. used for Iron-works, wherein Justices of Peace have power to meddle. *See the Statute at large.*

* XXVI. Stat. 13 & 14 *Car.* 2. *cap.* 2. *Stat.* 2. Commissioners to be appointed by the King, under the Great Seal for surveying, ordering, enlarging, amending, making or cleansing any Vaults, Sinks, or Sewers, Pavements and amoving any nusances or encroachments, by Sheds, Stalls, Posts, or Walls, within *London* and *Westminster*.

XXVII. Provided, such nusances which be above 30 years standing shall not be removed without satisfaction to the occupiers, to be given by the Commissioners and upon difference of how much, the Barons of the Exchequer to determine the same.

XXVIII. Timber and irregular buildings to be prevented and upon conviction by view of the Commissioners or any 5 of them, to be removed within one moneth after notice, upon pain of 40 s. they shall after continue.

XXIX. Certain High-ways, and new built streets about *London*, to be repaired and paved, by the Commissioners, at the charge of Owners of houses thereto adjoyning.

XXX. Every load of Hay standing to be sold upon any the places new paved shall pay 6 d. and every load of Straw 2 d. towards paving and maintaining the same; the same and all fines, rents and penalties upon this Act, to be levied by distress, and defaults of distress, imprisonment of the offendors.

XXXI. The Commiſſioners for the Streets and ways, may appoint a Clark and Collector, Rakers, or Carriers away of the Aſhes and Filth, and Scavengers, and call them to an accompt, and may hear and determine all differences concerning paving and cleanſing the Streets.

XXXII. Scavengers, and Rakers, may appoint fitting publick and vacant places to lay the Aſhes and Filth of the ſtreets in, and and may paſs through any Wharfs, Dock, or Yards, with the ſame giving ſatisfaction to the owners of ſuch yards, upon any difference or unreaſonable demand for ſuch paſſage to be aſcertained by the ſaid Commiſſioners, wherein upon any wrong the party injured may apeale for relief by petition to the Lord Treaſurer and Barons of the Exchequer.

XXXIII. The Commiſſioners to be accomptable for all rents, fines, and profits in the Exchequer, and there to deliver in an accompt every *Trinity* Term.

XXXIV. All Streets, Lanes, Allies, and places within *London* and *Weſtminſter*, Borough of *Southwark*, and places adjacent to be cleanſed of all Aſhes, Dirt, and Filth, twice every week.

XXXV. None ſhall caſt or lay before their doors or walls, any Sea-cole aſhes, Dirt or Filth, upon pain of 5 s. nor before the houſes, or walls of their neighbours, nor before any Church, Church-yard, the King's houſes, nor caſt the ſame into any publick ſink or vault, within *London*, or *Weſtminſter*, or *Southwark*, upon pain of 20 s. for every offence, and all Churchwardens, Keepers of *White-hall*, Porters of Noble-men's houſes, and Keepers of Courts of Juſtice, ſhall be liable to the like penalty for their neglect therein.

XXXVI. None ſhall keep or cleanſe Barrells, nor mend Coaches or hew Timber in the ſtreets upon pain of 20 s. for every offence.

XXXVII. Rakers and Scavengers ſhall bring carts every day to receive and carry away Aſhes and Filth, upon pain of 40 s. for every neglect therein.

XXXVIII. Every Juſtice of either Bench, Baron of the Exchequer, and Juſtice of the Peace, of *London* and *Weſtminſter*, have power upon their own view or proof by one witneſs upon oath to convict perſons offending againſt this Act; and to diſpoſe the penalties towards mending and cleanſing the ſtreets, if upon proof, half to the party informing: if upon conviction by view, then the whole towards repairing and cleanſing the ſtreets, or ways, to be levied by warrant from any ſuch Juſtice under his hand and ſeal, directed to the Conſtable or other Officer of the ſame pariſh, by diſtreſs and ſale of his goods, and for default (if no Peer) impriſonment untill payment.

XXXIX.

XXXIX. Scavengers and Rakers, within *London*, to be elected, and rates Aſſeſſed for their wages, according to the ancient cuſtom, and new meſſuages to be rated as others, and ſo alſo within the City of *Weſtminſter*, in all other Pariſhes and places as formerly to be choſen upon every Tueſday or Wedneſday in *Eaſter*-week, and two Tradeſmen ſhall be Scavengers in every Pariſh to continue for a year, who ſhall perform the office upon pain of 20 l. but upon refuſal others ſhall be choſen, the ſaid penalties to be levied and imployed for mending the ſtreets and ways of the ſame Pariſh, by diſtreſs and ſale of the offendor's goods, and impriſonment in default, by warrant as aforeſaid.

XL. Within 20 days after election of ſuch Officers, a tax or pound rate ſhall be made by the Inhabitants of every Pariſh, which being confirmed by 2 Juſtices of the Peace, ſhall be quarterly paid, upon demand by the Officers appointed, and upon refuſal levied by diſtreſs and ſale of the goods, by warrant from 2 Juſtices of the Peace, and for lack of diſtreſs by impriſonment of the Offendor (not being a Peer) until payment.

XLI. Provided, all Actions againſt Perſons for executing this Act, ſhall be laid in their proper County, and the defendant may plead the general iſſue, and recover treble coſts if wrongfully vexed.

XLII. Several houſes in and about *London*, obſtructing the common paſſages to be removed, and Commiſſioners by the King to be appointed under the Great Seal, to receive contributions for enlarging the ſtreets and ways, and to treat with the owners for ſatisfaction, for pulling down the ſame, which Commiſſioners are to take an oath impartiality to execute this Act; the Lord Mayor of *London*, to be a joynt Commiſſioner with them, and the Dean of *Weſtminſter*, Steward and Deputy Steward, to be alſo joynt Commiſſioners within the ſaid liberties: This Act to continue till the end of the firſt Seſſions of the next Parliament.

XLIII. **Stat.** 14 *Car.* 2. *cap.* 6. For enlarging and repairing common High-ways, Surveyors ſhall be choſen upon Munday or Tueſday in *Eaſter*-week yearly in every pariſh, upon pain of 5 l. for default thereof.

XLIV. The ſaid Surveyors ſhall within 20 days after Election view all the High-ways, and Bridges within their Pariſh, and conſider of needful reparations, and thereupon with 2 or more ſubſtantial Houſeholders make an aſſeſsment, for repair thereof, not exceeding 6 d. in the pound for one year, 20 l. ſtock to be rated as 20 l. *per annum*, which being allowed by ſome Juſtice of the Peace ſhall be paid within 20 days after demand by the Surveyors,

upon pain of forfeiture of double ſo much, unleſs upon complaint to the ſaid Juſtice, he ſhall think fit to alter the ſame.

XLV. The Surveyors ſhall cauſe all nuſances in High-ways, or Ditches, and water-courſes not ſcoured to be amended, and the offenders puniſhed by law, and deduct their charges for proſecution thereof, and may yearly between the 1 of *May* and the laſt of *Auguſt*, hire labourers, carts and carriages for that purpoſe.

XLVI. They may appoint perſons to work in the High-ways according to former laws, and Carts and Carriages for more days, then by former laws directed, paying according to the rates of the Country, and one Juſtice of Peace, may upon queſtions of value determine the ſame; and upon neglect or refuſal of any perſon charged, he ſhall forfeit 10 s. for a Team a day, and 18 d. for a labourer.

Provided none be charged for lands, and ſtock which he uſeth upon the ſame.

XLVII. The Surveyors within their Pariſhes, by order from the quarter Seſſions, and upon view, and by conſent of 2 Juſtices authoriſed by the ſaid Seſſions under their hands and ſeals in writing may enlarge any High-way, not of (to the) breadth 8 yards, out of the ſale of the owner in ſuch manner as by the Act apppointed.

XLVIII. In caſe of want of gravel ſand, &c. in one Pariſh it may be digged in the waſte of another, filling up the pit again, if required.

XLIX. In caſe of want of gravel ſand, or other materials in any Common, or Waſte, of any Pariſh, the ſame may be digged in the ſoile of any owner, the ſame not being a Houſe, Orchard, Garden, Court-yard, Park with deer, or Meddow, rendring damages to the owner for digging and filling again the pit.

L. No travelling Waggon, Wain, or Carriage for hire, (other then carriage for Husbandry & managing lands, carrying Hay, Straw, Corn unthreſhed, Coal, Chalk, Timber for Shipping, materials for building, ſtones, Amunition and Artillerie for the King's ſervice) ſhall go in any High-way with above 7 Horſes whereof 6 by paiers, and not above 8 Oxen, or ſix and two Horſes by paires: nor carry above 2000 weight between 1 *October*, and 1 *May*: nor above 3000 between 1 *May*, and 1 *October*: nor above 8 quarters of Barley, Mault, or Oates: nor with any wheeles leſs then 4 inches broad in the tyre, upon pain of 40 s. one third part whereof ſhall be to the Surveyors, one other third part to the poor of the Pariſh, and the other third part to the diſcoverer, to be levied by diſtreſs and ſale of the offenders goods, if payment be not made within 3 days; and the offences aforeſaid declared common nuſances.

LI. Suits againſt any Officers for any thing done upon this

Act

Act ſhall be tried in their proper Counties; the defendant may plead the general iſſue and if wrongfully ſued recover double coſts.

LII. All moneys aſſeſſed, and charitable gifts for mending the High-ways, Pavements, &c. and all fines and forfeitures not otherwiſe diſpoſed by this Act: and all amerciaments upon Pariſhes for repairing High-ways ſhall be imployed by the reſpective Surveyors within their reſpective Pariſhes, by warrant under their hands and ſeals, and levied by diſtreſs and ſale of the offendors goods as aforeſaid.

LIII. All Surveyors ſhall within one moneth after their year expired give in an accompt under their hands in writing to the pariſh of all their receits and diſburſements, and of all arreares, fines, forfeitures, penalties, and charitable gifts, and pay what remains in their hands, to the ſucceeding Surveyors: and upon default and complaint to any 2 Juſtices of the Peace near the ſaid Pariſh, the ſaid Juſtices ſhall commit the party offending to priſon till a true accompt be made.

LIV. Juſtices of *Oyer* and *Terminer*, and of the Peace, may enquire of, hear and determine matters of Charitable gifts for mending High-ways, and alſo all offences in Surveyors and other concerning High-ways, and make orders therein: Provided perſons grieved by ſuch orders may appeal to the Chancery, as upon decree upon the Statute of charitable uſes.

LV. No *certiorari* ſhall be allowed, to remove any information indictment or other proceedings in the quarter Seſſions touching any matter in this Act unleſs the Parties proſecuted, give ſecurity to the proſecutors to pay them their coſts and damages.

LVI. *Proviſo*, touching the leſſees of the Iron works in *Surrey*, *Suſſex*, and *Kent*.

LVII. *Proviſo*, not to lay any new charge, where the Juſtices, at the quarter Seſſions, or two Juſtices near the Pariſh ſhall be ſatisfied that the High-ways may be ſufficently repaired without help of this Act.

LVIII. Tenants and Occupiers are to pay Aſſeſſments for High-ways.

LIX. The power of Aſſeſſing to continue onely for 3 years.

LX. All other powers continued till the end of the firſt Seſſion of the next Parliament, and no longer.

LXI. Stat. 15 *Car.* 2. *cap.* 1. *Stat.* 3. An Act appointing ſpeciall Commiſſioners with power, to overſee and repair the High-ways, within the Counties of *Hertford*, *Cambridge*, and *Huntingdon*, leading from *London* to *York*, and into *Lincolnſhire*, and for gathering a certain Toll for the ſame, *viz.* for *Hertfordſhire* at *Wades Mill*,

for *Cambridge* at *Caxton*, and for *Huntingdonſhire* at *Stilton*, and not elſewhere: *vid. the Act.*

LXI. **Stat.** 16 & 17 *Car.* 2. An Act for continuance of a former Act for repairing the High-ways within the County of *Hertford*, for 21 years from the time mentioned in the ſaid Act.

☞ Holy-days and Faſting-days.

I. **Stat.** 2, 3 *E.* 6. 19. An Act prohibiting fleſh to be eaten on fiſh-days: *But ſee a greater penalty inflicted*, 5 *E.* 5. *Infra in* Ships.

II. **Stat.** 5, 6 *E.* 3. 3. Holy-days and Faſting-days are appointed: *But* 1 *M. Parl.* 1. *Cap.* 2. *this Act is repealed: And afterwards by* 1 Jac. 25. 1 *M. is repealed and therefore* Quære, *whether it be now in force unleſs it had been revived by ſpecial words.*

III. **Stat.** 1 *Car.* 1. All concourſe of people out of their own Pariſhes for any paſtime whatſoever: as alſo Bear-baitings, Bull-baitings, Enterludes, Common-plays, and all other unlawful paſtimes, are prohibited on the Lord's-day.

IV. The Offender againſt this law being thereof convicted by the view of one Juſtice of Peace (in the Countrey) or by a chief Officer (in a Corporation) or by his own confeſſion, or by the oath of one witneſs before one ſuch Juſtice or Officer, ſhall forfeit 3 s. 4 d. to the uſe of the poor where the offence is committed, to be levied by diſtreſs and ſale of goods (upon warrant from the ſame Juſtice or Officer) by the Conſtables or Churchwardens of the ſame Pariſh, and in caſe no diſtreſs can be had, the Offendor ſhall ſit in the ſtocks 3 hours: but this offence ought to be proſecuted within one moneth after it ſhall be committed: And if the Officer be queſtioned, he ſhall plead the general iſſue, and yet give ſpecial matter in evidence.

* V. **Stat.** 3 *Car.* 1. No Carier with his Horſe, Waggoner with his Wagon, Car-man with his Cart, Wain-man with his Wain, or Drover with his Cattel ſhall travel upon the Lord's-day, in pain to forfeit 20 s. for every ſuch offence.

VI. No Butcher ſhall kill or ſell any victual upon the ſame day, in pain of 6 s. 8 d.

* VII. Here, the conviction of the Offender and the levying and imployment of the forfeitures are the ſame with thoſe of the former Statute: ſave onely, that here two witneſſes are neceſſary, and the forfeitures may alſo be recovered by a proſecutor in the Seſſions of the County or Corporation, where the offence was committed: and in that caſe the Juſtice or Head-Officer may allow

allow the profecutor part of the forfeitures, but not above a third part.

VIII. This Action ſhall be proſecuted within ſix moneths: and here alſo the Officer may plead the general iſſue.

Homage and Fealty.

I. **Stat.** 17 *E.* 2. When a Free-man doth homage to his Lord, of whom he holdeth in chief, he ſhall hold his hands between the hands of his Lord, and ſay thus:

I become your man from this time forth for life, for member, and for worldly honour, and ſhall ow you my faith for the lands that I hold of you, ſaving the faith that I ow unto our Lord the King, and to mine other Lords.

II. When a Free-man doth fealty to his Lord, he ſhall hold his right hand upon a Book, and ſhall ſay thus:

Hear you my Lord R. *that I* P. *will be to you both faithful and true, and ſhall ow my fidelity unto you for the Land that I hold of you, and lawfully ſhall do ſuch cuſtoms and ſervices as my duty is to you at all terms aſſigned: ſo help me God, and all his Saints.*

III. When a Villain ſhall do fealty unto his Lord, he ſhall hold his right hand over the Book, and ſay thus,

Hear you my Lord A. *that I* B. *from this day forth unto you ſhall be true and faithful, and ſhall ow you fealty for the Land, I hold of you in Villenage, and ſhall be juſtified by you in body and goods: ſo help me God and all his Saints.*

Honours.

I. **Stat.** 31 *H.* 8. 5. An Act for the making of the Mannor of *Hampton-Court* (with divers Mannors and Lands thereunto annexed) an Honour, and the King ſhall have a free Chaſe and Warren there: alſo the offenders there ſhall be puniſhable as in any other Foreſt or Chaſe; all which are to be in the ſurvey of the Court of Augmentations; and *Shipton* is annexed unto the Dutchy of

Corn-

Cornwal in lieu of *Biſſeet* and *Weibridge* taken away by this Act from the ſaid Dutchy.

II. **Stat.** 33 *H.* 8. 37. An Act for the making of the Mannor of *Amphthil* in *Com. Bed.* an Honour, and for annexing divers lands in *Com. Bed.* and *Buck.* to the ſaid Honour with other Articles concerning that Mannor, which ſaid lands are appointed to the ſurvey of the Court of Augmentations.

III. **Stat.** 33 *H.* 8. 38. The like for the Mannor of *Grafton* in Com. North. *See the Statutes at large.*

Hops.

* I. **Stat.** 1 *Jac.* 18. None ſhall bring or cauſe to be brought into this Realm from forein parts any hops deceitfully mixt with any ſoil whatſoever, in pain to forfeit the hops ſo brought in; neither ſhall any buy ſuch hops (ſo brought in, or growing within the Realm) and imploy them in brewing, in pain to forfeit the value thereof: which ſaid forfeitures ſhall be divided betwixt the King and the proſecutor.

Horners.

* I. **Stat.** 4 *E.* 4. 8. No ſtranger ſhall buy any Engliſh horns unwrought gathered or growing in *London*, or within 24 miles thereof: The Wardens of Horners in *London* may ſearch all ware belonging to their Myſtery, in *London*, and within 24 miles thereof. And in *Sturbridge* and *Ely* Fairs: *See the Statute at large: But note that this Statute is repealed by* 1 Jac. 25. *Howbeit it is recited in part revived by* 7 Jac. 14. *as followeth.*

II. **Stat.** 7 *Jac.* 14. The Act of 4 *E.* 4. 8. and every part thereof (except power of ſearch in the Fairs of *Sturbridge* and *Ely*, and the limitation of ſuch prices for horns, as they were to be had for at the making of the ſaid Act) ſhall be revived, and be of like force as if it had been repealed by 1 *Jac.* 25.

III. None ſhall ſell Engliſh horns unwrought to any ſtranger, nor ſend any ſuch horns beyond Sea, in pain to forfeit the double value thereof, to be divided betwixt the King and the proſecutor.

☞ Horſes, Mares, and Cattel.

* I. **Stat.** 20 *R.* 2. 5. None ſhall take the horſe or beaſt of any to ſerve the King without the owner's conſent or ſufficient warrant, in pain to be impriſoned, until he recompence the party grieved.

* II. **Stat.** 11 *H.* 7. 13. None ſhall convey any horſe out of the Realm without the King's licence, in pain to forfeit the ſame; nor any Mare above the value of 6 s. 8 d. in pain to forfeit her, the owner thereof receiving 6 s. 8 d. for her at the time of the ſeiſure, otherwiſe that alſo is to be forfeited: and here, the Mare immediately after ſeiſure is to be appraiſed and ſold by the chief Officer there, and her price (above the 6 s. 8 d.) is to be divided betwixt the King and the ſeizer; and the King's part thereof to be delivered to the Cuſtomer of the Port there.

III. None ſhall convey any Mare out of this land under 3 years old, or worth above 6 s. 8 d. and for thoſe he may convey, he ſhall pay the uſual Cuſtom.

IV. For every Mare (above that value) to be tranſported beyond Sea by the King's licence, the Cuſtom ſhall be 6 s. 8 d. which ſhall be paid before ſhe be ſhipped, in pain to forfeit her.

V. If any at the Port will for any ſuch Mare of under-value give 7 s. and pay for her, he ſhall have her, if ſhe were not before taken by the King's Officer, or the King's licence for tranſporting her were not before obtained.

VI. This Act ſhall not prohibit any to tranſport beyond Sea (without the King's licence) any horſe for his own uſe, he making oath before the Cuſtomer or ſearcher of the Port, that he intends not to ſell him.

VII. **Stat.** 27 *H.* 8. 6. Every one having inheritance or freehold in a Park kept for Deer, and a mile about, or his Farmor ſhall keep two Mares apt and able to bear foals, each of them being 13 hands high, from the loweſt part of the hoof to the higheſt part of the ſhoulder, and each hand containing 4 inches in pain of 40 s. for every moneth they want them; and if the Park be 4 miles about, they ſhall keep four ſuch Mares upon the like pain.

VIII. If any of the Mares die, they have three moneths given them to provide another, without danger of incurring the ſaid penalty.

IX. They ſhall not ſuffer their Mares to be leapt by any ſton d

ſtoned-horſe under 14 hand high, in pain of 40 s.

X. The ſaid forfeitures are to be divided betwixt the King and the proſecutor.

XI. This Act ſhall not extend to *Weſtmerland*, *Cumberland*, and *Northumberland*, nor the Biſhoprick of *Durham*, nor to Parks, wherein the Inhabitants of the Town next adjoyning have Common.

XII. Spiritual perſons may ſell the increaſe and breed of their Mares, notwihſtanding this Act.

* XIII. Stat. 32 *H.* 8. 13. None ſhall put to feed upon Foreſts or Common ground any ſtoned horſe being above two years old, and not 15 hand high from the lower part of the hoof to the upper part of the whither (every hand containing 4 inches ſtandard meaſure) in pain to forfeit the ſame horſe.

XIV. It ſhall be lawful for any man to ſeize to his own uſe any ſtoned horſe of leſſer ſtature put to feed upon any ſuch Common ground, as aforeſaid, ſo that firſt by the aſſiſtance of the Keeper of the ground, or Conſtable, Bailiff, Headborough, or other ſuch officer of the Pariſh adjoyning) ſuch horſe be brought to the next Pound, and there by the Officer, and in the preſence of three other ſufficient men) be meaſured and found lower then the Statute.

XV. Thoſe that refuſe to meaſure, or to be preſent at meaſuring of ſuch horſe, ſhall forfeit 40 s. a piece for every ſuch default, to be divided betwixt the King and the proſecutor.

XVI. An horſe that makes an eſcape into ſuch Common, ſhall not be queſtioned, ſo that he ſtay not above 4 days after notice thereof given at the owner's houſe, or in his Pariſh Church.

XVII. Foreſts and Common-grounds ſhall be driven yearly at *Michaelmas* or within 15 days after, by the Keepers or Officers aforeſaid, in pain of 40 s. who have alſo power to drive them at any other time of the year at their pleaſure, ſuch power likewiſe have the owners of ſuch grounds; and here, upon the drift, if any unlikely Tits ſhall be found, they ſhall be killed.

XVIII. Juſtices of Peace in Seſſions have power to hear and determine theſe offences, but Stewards of Leets onely to take preſentments of them, which they ſhall certifie in at the next general Seſſions, or to the *Cuſtos Rotulorum*, in pain of 40 s.

XIX. None ſhall put upon Common grounds or Common fields any ſcabbed or infected horſe, in pain to forfeit 10 s. to the Lord of the Leet.

XX. This Statute ſhall not reſtrain keeping of horſes under the ſtature upon Commons, where Mares are not uſually kept.

XXI.

XXI **Stat.** 1 *E.* 6. 5. None ſhall convey, ſell or deliver any horſe into *Scotland*, or any other forein Country (without the King's licence, or for his ſervice in the wars) in pain to forfeit ſuch horſe, and 40 l. to be divided betwixt the King and the proſecutor.

XXII. Wardens of the Marches and Juſtices of Peace in Seſſions have power to hear and determine theſe offences, and it ſhall be lawful for any of the King's ſubjects to arreſt or impriſon any *Scotch-man* or other, that ſhall convey any horſe contrary to this Act.

XXIII. He that hath the King's licence to convey Horſes into *Scotland* ſhall (before he ſo convey them) ſhew his licence to one of the Wardens of the Marches (to the end that the number of them may be Kalendred) in pain to forfeit his horſes or the double value of them to be divided betwixt the King and the proſecutor.

XXIV. This Act ſhall not reſtrain the Warden of the Cinque-Ports to give 6 horſes or geldings, and no more, to any perſon beyond Sea, being within the King's Amity: neither ſhall it impeach the Maſter of the King's horſes in any Commodity, that concerns his office; nor any other for conveying beyond ſea Mares not exceeding the value of 10 s.

XXV. **Stat.** 8 *El.* 8. The Statute of 32 *H.* 8. 13. ſhall not reſtrain the keeping of ſtoned horſes of a lower ſtature in the Fen grounds of the Iſle of *Ely*, and of the Counties of *Cambridge*, *Huntingdon*, *Northampton*, *Lincoln*, *Norfolk* or *Suffolk*, ſo that the horſes there kept, be not under 13 hands high.

XXVI. **Stat.** 21 *Jac.* 28. The Statute of 32 *H.* 13. ſhall not extend to the County of *Cornwal*.

Hoſpitals and Hoſpitallers.

I. **Stat.** 2 *H.* 5. *Stat.* 1. *cap.* 1. The Ordinary ſhall have power to inquire of and reform the foundation, eſtate and government of Hoſpitals, viz. Thoſe of the King's patronage or foundation, by Commiſſion, and ſhall return the inquiſitions thereof into the Chancery: But thoſe of others, he ſhall do it *ex officio*.

II. **Stat.** 2 *H.* 6. 2. That the Hoſpital of *S. Leonards* in *York* may gather their Thraves of Corn, as formerly, and upon denial have an Action of debt for the ſame: *See the Statute.*

III. **Stat.** 13 *El.* 17. That the Earl of *Leiceſter* may found an Hoſpital in *Warwick* or *Kenelworth* for relief of poor and impotent people;

people; which Hoſpital ſhall have capacity to purchaſe Lands in any County of *England*, not exceeding 200 l. *per annum*, and not holden of the Queen by Knight-ſervice *in capite*, or by Knight-ſervice not in chief.

IV. **Stat.** 14 *El. not printed*, for the aſſurance of all grants made and to be made for the poor in Hoſpitals, &c.

V. **Stat.** 18 *El.* Two Acts were made, *but not printed*, the one for the Hoſpital of *S. Croſs* near *Wincheſter*, and the other for one at *Leiceſter*.

VI. **Stat.** 27 *El.* Alſo two Acts (*not printed*) the one for the Hoſpital of *Chriſt* at *Sherbourn* in Biſhoprick, and the other for that of *Eaſtbridge* in *Canterbury*.

VII. **Stat.** 39 *El.* 5. It ſhall be lawful for any perſon within 20 years next inſuing (by deed inrolled in Chancery) to erect and found an Hoſpital or houſe of correction, to have the ſame continue for ever, and for him, his heirs and aſſignes, to place ſuch head and members, and ſuch number of poor, as they pleaſe, which ſaid Hoſpital or houſe ſo founded ſhall be incorporated, and have perpetual ſucceſſion for ever, which Corporation ſhall have power to purchaſe goods and Chattels, alſo lands not exceeding the value of 200 l. *per annum*, nor held by Knight ſervice, or in chief of the Queen; and all this without licence, or the writ of *ad quod damnum*, the Statute of Mortmain, or of any other to the contrary.

VIII. They ſhall alſo have power to ſue and be ſued in all Courts, and to have ſuch a common ſeal or ſeals as the Founder, his heirs or aſſigns ſhall appoint, by which they may ſeal all Inſtruments which concern the ſaid Corporations.

IX. They ſhall alſo be viſited and ordered by ſuch perſon or perſons as the ſaid Founders, their heirs or aſſigns ſhall nominate, according to the Statutes of the Foundation, being not repugnant to the Laws and Statutes of this Realm: Howbeit the Founder, his heirs and aſſigns upon the death or removal of any head or member, ſhall have power to place another in their ſtead.

X. Provided, that all leaſes and eſtates made by any ſuch Corporation for above 21 years, and that in poſſeſſion, and whereupon the accuſtomed yearly rent for the greater part of 20 years before ſhall not be reſerved, and yearly payable ſhall be void.

XI. The right of all perſons, ſave of the Founders their heirs and ſucceſſors, is ſaved.

XII. This act ſhall not inable Infants, Femes *covert* without their husbands, or perſons not of *ſane* memory, to make ſuch Corporations, or to endow the ſame.

XIII.

XIII. No ſuch Corporation ſhall be made, unleſs the ſame be (upon the foundation thereof) endowed with lands of the clear yearly value of 10 l. *per annum.*

XIV. Provided, that the Corporations aforeſaid ſhall not by force of this Act do or ſuffer to be done any thing in prejudice thereof: but ſuch conſtruction ſhall be made thereof as ſhall be moſt beneficial for the maintenance of the poor, and for avoiding of all divices which may be invented or put in ure contrary to the true meaning thereof.

XV. **Stat.** 39 *El.* 6. Commiſſions may be awarded to certain perſons to inquire of lands or goods given to Hoſpitals, or other charitable uſes, miſ-imployed, and to reform them: *But this Act was afterwards repealed by* 43 Eliz. 4. *ſaving for the execution of orders and decrees before made by Commiſſioners according to the Statute.*

XVI. **Stat.** 43 *El.* 4. It ſhall be lawful for the Lord Chancellor or Keeper for the time being, and for the Chancellor of the Dutchy of *Lancaſter* (within that precinct) to award Commiſſions into any part of the Realm reſpectively to the Biſhop there and his Chancellor (if any at that time) and to other perſons of good behaviour, authorizing four or more of them to inquire as well by the oaths of twelve or more lawful men, as otherwiſe, of all grants, gifts, aſſignments, limitations and appointments, and of all abuſes and miſ-imployments of all lands, tenements, and hereditaments; and of all goods and chattells given, limited or appointed to charitable uſes.

XVII. The Commiſſioners having called the parties intereſſed, made inquiry by the oathes of ſuch 12 men or more (unto whom lawfull challenge may be made by the parties ſo intereſſed) and ſet down ſuch orders and decrees therein, that the things ſo given to charitable uſes may be faithfully imployed, the orders and decrees ſo made (being not repugnant to the Statutes of the Founders or Donors) ſhall ſtand firm, and be executed accordingly, until they ſhall be altered by the Chancellor, Keeper, or Chancellor of the ſaid Dutchey reſpectively, upon complaint made to them thereof by the party grieved.

XVIII. This Act ſhall not extend to any thing given to any Hall or Colledg in the Univerſities, or to the Colledges of *Weſtminſter*, *Eaton* or *Wincheſter*, or to any Cathedrall Church, or to any City or Town Corporate, or to any lands or tenements given to the uſes aforeſaid, in any ſuch City or Town, where there is a ſpecial Governour or Governours to govern things diſpoſed to ſuch uſes, or to any Colledg, Hoſpital or Free-School, having ſpe-

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cial Visitors or Governours appointed by the Founders.

XIX. This Act shall not be prejudicial to the Ordinary or his jurisdiction.

XX. None having the thing in question, or pretending title thereunto, shall be either Commissioner or Juror.

XXI. This Act shall not impeach any purchaser (*bonâ fide*) of things given to charitable uses, not having notice thereof: Howbeit (in that case) the party or parties (who have broken their trust in selling the same) their heirs, executors and administrators shall make satisfaction by the Decree of the said Commissioners, if they have left assets, or so far as the assets so left shall extend.

XXII. The Commissioners shall not meddle with any lands conveyed or come to the hands of *H.* 8. *E.* 6. *Qu.M.* or *Qu. El.* unless the grant to charitable uses were made since the beginning of Queen *Elizabeth's* reign.

XXIII. The Orders, Judgments and Decrees shall be certified into the Chancery or Dutchy Court (as the case shall require) under the Commissioners Seals within such time as shall be limited in their Commissions: And the said Lord Chancellor, Keeper, or Chancellor of the Dutchy (respectively) shall take such order for the due execution of the said Decrees, as to them shall seem fit.

XXIV. If the party against whom the Decree is past, conceive himself injured thereby; upon complaint thereof to the said Chancellor, Keeper, or Chancellor of the Dutchy (respectively) he shall have redress, if there be cause; but if not, they shall award good costs against him for complaining without cause.

Hounslo-Heath.

I. Stat. 37 *H.* 8. 2. *Hounslo-Heath in Com. Midd.* which contains 4293 acres, and one rood of ground extendeth into several Parishes: so much thereof as is the King's inheritance, and is meet for tillage, pasture, meadow, or other several ground, shall be of the nature and condition of Copy-hold land, or the same may be let by the Steward of the Mannor at will, or for 21 years, which lessee shall and may improve it.

Hull.

I. **Stat.** 33 *H.* 8. 33. The Statute of 27 *H* 8. 3. (which was made for the taking away of certain cuſtoms that the Mayor and Commonalty of *Hull* took for fiſh) is repealed; but by this they may take of every perſon priviledged for a laſt of hering, 20 d. for an hundred of ſalt fiſh 4 d. and for a laſt of Sprats 8 d. And of one not priviledged, for a laſt of hering 2 s. 4 d. for an hundred of ſalt fiſh 4 d. and for a laſt of Sprats 8 d. as they did before.

Hundreds.

I. **Artic. ſuper Chartas**, 14, 28 *E.* 1. Bailiwicks and Hundreds ſhall not be let to farm at over great ſumms, whereby the people may be over-charged by making Contributions to ſuch Farms.

☞ Hunters and Hunting.

* ☞ I. **Stat.** 13 *R.* 2. 13. No lay-man who hath not lands of 40 s. *per annum*, nor Clerk who hath not 10 l. revenue *per annum* ſhall have or keep any Grey-hound, Hound, Dog, Feret, Net, or Engine to deſtroy Deer, Hares, Conies, or any other Gentleman's game, in pain of one whole years impriſonment which Juſtices of Peace ſhall have power to inflict.

II. **Stat.** 19 *H.* 7. 11. None ſhall keep any Deer-hays or Buck-ſtalls, ſave in his own Foreſt or Park, in pain to forfeit for every moneth they are ſo kept, 40 s. neither ſhall any ſtalk with any buſh or beaſt to any Deer, except in his own Foreſt or Park, in pain of 10 l.

III. None ſhall take an old Heron, without his own ground, in pain of 6 s. 8 d. nor a young Heron, in pain of 10 s. for which forfeitures every man that will may ſue by Action of debt, or otherwiſe.

☞ IV. Any two Juſtices of Peace in Seſſions may examine the Offendors aforeſaid, and commit them to priſon, till they have ſatisfied the ſaid forfeitures, whereof the ſaid Juſtices are to have the tenth part.

☞ * V. **Stat.** 14 15 *H.* 8. 10. None ſhall trace, deſtroy or kill any Hare in the ſnow; And Juſtices of Peace in Seſſions and Stewards in Leets have power to inquire of ſuch Offenders, and

ſhall aſſeſs upon every ſuch Offender 6 s. 8 d. which penalty aſſeſſed in Seſſions ſhall go to the King; but in a Leet, to the Lord thereof.

* VI. **Stat.** 3 *Jac.* 13. None ſhall (without the owners licence) kill or chaſe any Deer or Conies in any Parks or incloſed grounds, in pain to ſuffer three moneths impriſonment, to pay treble dammages to the party grieved, to be aſſeſſed by the Juſtices, before whom he ſhall be convict, after the ſaid 3 moneths expired, and to be bound with 2 good ſureties to the good behavior for 7 years after, or to reman ſtill in priſon, till he find ſuch ſureties; but here the party grieved (being ſatisfied) hath liberty to releaſe the behavior.

☞ VII. Juſtices of *Oyer* and *Terminer*, Aſſize, and Peace in Seſſions have power to hear and determine theſe offences, and Juſtices of Peace in Seſſions (upon confeſſion and ſatisfaction to the party grieved) have power to releaſe the behavior.

VIII. If any perſon, not having 40 l. *per annum*, in lands, or 200 l. in goods, or ſome incloſed ground uſed for Deer or Conies worth 40 s. *per annum* at leaſt, ſhall uſe any gun, bow or croſs-bow to kill any Deer or Conies, or ſhall keep any buck-ſtall, feret, dog, net, or other engine, it ſhall be lawful for any perſon (having lands worth 100 l. *per annum*) to take ſuch gun, &c. from any ſuch perſon, and to convert the ſame to his own uſe.

IX. This Act ſhall not extend to any Park or incloſed ground hereafter to be made or uſed for Deer or Conies, without the King's licenſe.

X. **Stat.** 7 *Jac.* 13. It ſhall be in the election of the party grieved, whether he will take for ſatisfaction 10 l. in money, or treble dammages, as by the Statute of 3 *Jac.* 13. is limitted.

* XI. **Stat.** 13 *Car.* 2. *ca.* 10. None ſhall unlawfully courſe, kill, hunt or carry away any Deer, in any Foreſt, Chace, Purlieu, Wood, Park, or other ground, where Deer have been uſually kept within *England* and *Wales*, without the conſent of the owners or party chiefly truſted with the cuſtody thereof or be aiding or aſſiſting therein, upon pain, being convicted by confeſſion, or one witneſs, before any Juſtice of the Peace within 6 moneths after the offence, of 20 l. to be levied by diſtreſs, by warrant of the ſaid Juſtices; one moiety to the informer, the other to the owner of the Deer: and for want of diſtreſs, to be committed for 6 moneths to the houſe of Correction, or common Gaol for one year, and not diſcharged till ſufficient ſureties be given for their good behavior.

XII. Provided that upon puniſhment by this Statute, the penalty of no other law be incurred.

☞ Husbandry.

☞ Husbandry.

I. **Stat.** 4 *Jac.* 11. The Owners and Farmers of lands in *Marden, Bodenham, Wellington, Sutton, S. Michael Sutton, S. Nicholas Murton* upon *Lugge*, and *Pipe* in the County of *Herreford*, may incloſe ſome part thereof; with divers other proviſions for the better improvement of thoſe places. *For which, ſee the Statute at large.*

II. **Stat.** 7 *Jac.* 18. All perſons within *Devon* and *Cornwal* may fetch ſea-ſand for the bettering of their land.

III. Boat-men may fetch ſea-ſand and caſt it out of their boats, where it hath been uſed to be landed, and carry the ſame thorow uſual wayes: *see the Statute.*

IV. **Stat.** 15 *Car.* 2. *ca.* 5. *Vid.* Trade.

Identitate nominis.

I. **Stat.** 37 *E.* 3. 2. IF the Lands, Goods, or Chattels of any perſon (outlawed for want of a good declaration of his Sirname) ſhall happen to be ſeized by any of the King's Officers, he may have a writ of *Identitate nominis*, to diſcharge them, as hath been uſed in times paſt: And in ſuch caſe, the Officer ſhall take ſecurity without fee of the party, to anſwer to the King the value of the thing ſo ſeized, if he cannot diſcharge them: and if the Officer be attainted of doing otherwiſe, he ſhall pay double dammages to the party grieved, and be alſo grievouſly puniſhed to the King.

II. **Stat.** 9. *H.* 6. 4. A writ of *Identitate nominis* ſhall be maintainable by executors, as well as by the teſtator himſelf if he were living.

Jeofaile.

I. **Stat.** 32 *H.* 8. *cap.* 30. After an iſſue tried there ſhall be judgment given notwithſtanding any Jeofaile or miſpleading.

II. **Stat.** 18 *El.* 14. After Verdict given in any Court of Record there ſhall be no ſtay of judgment or reverſing thereof for want of form in any writ original or judicial, Count, Declaration, Plaints, Bill, Suit, or Demand, or for want of any writ original or judicial, or by reaſon of any imperfect or inſufficient return of the Sheriff, or other Officer, or for want of any warrant of Attorney,

torney, or for any default in progress upon or after *Ayd, prayer* or *Voucher*.

III. This Act shall not extend to any writ, declaration or suit of appeal of felony, or murther, or to any Indictment, or presentment of felony, murther, treason, or other matter, or to any process upon any of them, or to any writ, bill, action, or information upon any penal Statute.

IV. Provided, that all Attorneys in any suit, in a Court of Record shall deliver in the Warrant of Attorney in such suit, to be entred or filed of Record, as by the Law and Statutes of this Realm they ought to do, in pain to forfeit 10 l. to be divided betwixt the Queen and the Officers where the warrant should have been so filed, and to suffer imprisonment by the discretion of the Justices of the Court where the default is made.

V. **Stat.** 21 *Jac.* 13. After Verdict given in any Court of Record, the Judgment thereupon shall not be stayed or reversed for any variance in form onely between the original writ or bill and the declaration, plaint or demand, or for lack of an averment of the parties life, or lives, so as it be proved he or they be in life, or for that the *Venire facias*, *Habeas corpus*, or *distringas* was awarded to a wrong Officer, upon any insufficient suggestion, or that the *visne* was in some part misawarded, or sued out of more or fewer places than it ought to be, so as some one place be right named, or for mis-naming any of the Jurors, either in the sir-name or Addition in any of the Writs or returns thereof, so as *constat de persona*, or for want of a return of any of the said writs, so as a pannel be returned and annexed thereunto, or for that the Officer's name is not set to the return, so as as it appear by proof that the writ was returned by him, or by reason that the Plaintiff in any *Ejectione firmæ*, or in any personal action, being under age, did appear by Attorney, and the verdict pass for him.

VI. This Act shall not extend to any Writ, Declaration, or Suit of appeal of felony, murther, nor to any indictment or presentment of felony, murther or treason, nor to any process upon any of them, nor to any Writ, Bill, Action, or Information upon any penal Statute.

Isle of Wight.

I. **Stat.** 4 *H.* 7. 16. None shall take more Farms then one in the Isle of Wight, which one shall not exceed ten marks in yearly value in pain of 10 l.

II. If any have several Farms above that value, he shall keep one

one or more of them at his Election, ſo as what he ſo keeps, exceed not that value.

III. Such as have been at charge with their Farms in fines or repairs ſhall be indemnified.

Incontinency of Prieſts.

* I. **Stat.** 1 *H.* 7. 4. The Ordinary ſhall puniſh Prieſts, Clerks, and Religious men for incontinency by impriſonment according to the quantity and quallity of their treſpaſs.

Incumbent.

I. **Stat.** 13 *R.* 2. 1. The Statute *de clero*, 25 *E.* 3. 3. touching the examination of the King's title to a Benefice, when he preſenteth in another's right, is confirmed, *which ſee in* Advowſon.

II. When the King preſenteth to a Benefice full of an Incumbent, his preſentee ſhall not be received by the Ordinary, until the King hath recovered his preſentment by Law.

III. If the King's preſentee be received, and the Incumbent put out without proceſs, the Incumbent ſhall begin his ſuit within a year after the Induction of the ſaid preſentee.

IV. **Stat.** 4 *H.* 4. 22. Where an Incumbent is put out without due proceſs, he ſhall be at large to ſue for his remedy by the Statute of 13 *R.* 2. 1. at what time he pleaſeth within or after the year.

Indicavit.

I. **Stat.** 34 *E.* 1. No writ of *Indicavit* ſhall be granted before the ſuit hanging in the ſpiritual Court between the parties be recorded, and that the Lord Chancellor be certified thereof by the ſight of the Libel.

☞ Indictments.

I. **Weſt.** 2 *Cap.* 13. 13 *E.* 1. Sheriffs, Bailiffs of Franchiſes, and others that take Inqueſts of Malefactors, ſhall do it by at leſt 12 lawful men, who ſhall put their ſeals to ſuch inquiſitions, and the ſaid Officers ſhall impriſon ſuch malefactors.

II. If they impriſon any without ſuch Inqueſts, the party grie-

ved ſhall maintain an action of falſe impriſonment againſt them.

III. Stat. 1 E. 3. Stat. 2. cap. 17. Sheriffs, Bailiffs of Franchiſes, and others, who take Indictments, ſhall do it by Roll Indented, whereof one part ſhall remain with the Indictors, and the other with him that takes them; ſo as one of the Inqueſt may have one part thereof to ſhew to the Juſtices when they come to make deliverance.

IV. Stat. 25 E. 3. Stat. 5. 14. After one is indicted for Felony before the Juſtices of *Oyer* and *Terminer*, the Sheriff ſhall be commanded to attach his body by a *Capias*, and if the Sheriff return a *Non eſt inventus*, another *Capias* ſhall iſſue out (returnable in three weeks) whereby the Sheriff ſhall have power to ſeize his chattels, and to keep them until the ſaid return, and then alſo, if the Sheriff return a *Non eſt inventus*, an exigent ſhall be awarded, and the chattels ſhall be forfeit: but if he yield himſelf, or be taken by the Sheriff or other Officer before the return of the ſecond *capias*, his goods and chattels ſhall be ſaved.

V. Stat. 11 H. 4. 9. No Indictments ſhall be made but by Inqueſt of lawful men returned by Sheriffs, Bailiffs of Franchiſes or other Officers who ought to do it, without having them nominated by other perſons to the ſaid Officers: and all Indictments otherwiſe found ſhall be void.

VI. Stat. 3 H. 7. 1. *pars inde.* Juſtices of Peace may take (by diſcretion) an inqueſt, whereof every man ſhall have lands of the yearly value of 40 s. to inquire the concealments of a former Enqueſt, taken before them or others, of matters inquirable or preſentable before them, and whereof complaint ſhall be made by Bill.

VII. Stat. 37 H. 8. 8. *pars inde.* Theſe words, *Vi & armis*, viz. *cum baculis, cultellis, arcubus, & ſagittis*, or the like, ſhall not of neceſſity be put into any inquiſition or indictment, but they ſhall be adjudged good, notwithſtanding thoſe words are therein omitted.

☞ Infections.

* I. Stat. 12 R. 2. 13. None ſhall cauſe to be caſt any garbage, dung, intrails, or any other annoyance, into the Ditches, Rivers, Waters, or other places within or near any City, Burrough, or Town, or the ſuburbs thereof, in pain to be called by Writ before the Chancellor; and, if found guilty, to be puniſhed at his diſcretion.

☞ Informers.

☞ Informers.

I. **Stat.** 18 *El.* 5. An Informer ſhall exhibit his ſuit in proper perſon, and purſue it by himſelf, or by his Attorney in Court, and that by way of information, or original Action, and ſhall have no Deputy: and all this in pain of 10 l. and the Pillory.

II. A note of the time of exhibiting the information ſhall be truly taken, and from thenceforth it ſhall be accounted to be of Record, before which time no proceſs ſhall iſſue out upon it.

III. The Clark that makes out the proceſs, ſhall indorſe the Informer's name, and alſo the Statute, upon which the Information is grounded, in pain of 40 s.

IV. No Jury ſhall appear at *Weſtminſter* for a tryal upon any penal Law, when the offence was committed above 30 miles from *Weſtminſter*, except the Attorney General, for ſome reaſonable cauſe require the ſame.

V. No Informer ſhall compound with any Defendant before anſwer, nor then, but by conſent of Court, in pain of 10 l. and the Pillory.

VI. Where the Informer delayes or diſcontinues his ſuit, or otherwiſe is non-ſuit or overthrown, the Court ſhall aſſign coſts to the Defendant, to be immediately levied by execution iſſuing out of the ſame Court.

VII. Juſtices of *Oyer* and *Terminer*, Aſſize, and Peace in their Seſſions have power to hear and determine theſe offences.

VIII. This Act ſhall not reſtrain Actions brought for Maintenance, Champerty, buying of title, or Imbracery, nor any certain perſon, or body Politique, to whom any forfeiture or penalty is ſpecially limited, nor certain Officers, who have lawfully uſed to exhibit informations.

IX. **Stat.** 29 *El.* 5. *in fine.* If any ſhall be ſued upon any penal Law in the King's Bench, Common Pleas, or Exchequer where ſuch perſon is bailable by law, or may appear by Attorney, the perſon ſo ſued ſhall at the day contained in the firſt proceſs appear by Attorney to defend the ſame, and ſhall not be urged to perſonal apparence, or to put in bail to anſwer the ſame.

X. **Stat.** 31 *Eliz.* 10. The ſaid clauſe of 29 *Eliz.* 5. ſhall only extend to natural born ſubjects or free Denizons, and none others.

☞ Inrolments.

I. **Stat.** 6 *R.* 2. 4. Deeds that were inrolled, and late torn or imbezeled by Rebels in the late Inſurrection, being exemplified ſhall be of the ſame force, as the deeds themſelves would have been, if they had been extant.

II. **Stat.** 27 *H.* 8. 16. Bargains and ſales, to raiſe an uſe of Inheritance or free-hold, muſt be by deed indented and inrolled within ſix moneths after the date thereof, in ſome Court of Record at *Weſtminſter*, or in the County where the land lyeth, before the *Cuſtos Rotulorum*, two Juſtices of Peace, and the Clerk of the Peace, or two of them, whereof the Clerk to be one: And here the fee to be paid for ſuch inrolment, when the land is not worth 40 s. *per annum* is 2 s. and when it is more 10 s. to be equally divided betwixt the Juſtice or Juſtices then preſent, and the Clerk of the Peace who ought to inroll them in parchment, and to deliver them unto the *Cuſtos Rotulorum* within one year after.

III. This Act ſhall not extend to lands, tenements, or hereditaments in Corporations where an Officer or Officers there have lawfully uſed to inrol deeds or other writing.

IV. **Stat.** 34. 35 *H.* 8. 22. All Recoveries, deeds inrolled, and releaſes acknowledged or taken before any Officer or Officers of any Corporation, having authority to receive the ſame, ſhall remain in force, notwithſtanding the Statute of 32 *H.* 8. 28. *which ſee in* Leaſes.

V. **Stat.** 5 *El.* 26. All inrolments of ſuch writings indented, as are mentioned in the Statute of 27 *H.* 8. 16. of lands, &c. in the Counties of *Lancaſter*, *Cheſter*, and the Biſhoprick of *Durham*, being inrolled within ſix moneths after the Date thereof (*viz.* thoſe in *Lancaſhire*, in the Chancery at *Lancaſter*, or before the Juſtices of Aſſize there; thoſe in *Cheſhire* in the Exchequer at *Cheſter*, or before the Juſtices of Aſſize there, and thoſe in the Biſhoprick, in the Chancery at *Durham*, or before the Juſtices of Aſſize there) ſhall be as good in law, as if they were inroled in any of the Courts at *Weſtminſter*.

Intruſion.

I. **Prerog. Reg.** *Cap.* 13. 17 *E.* 2. When the King's Tenant in chief dies, and his heir enters into the land, before he hath done homage to, or received ſeiſin of the King, he ſhall thereby gain no free-hold; and if he die ſeized during that time, his wife ſhall not be endowed

endowed thereof; as it fell out in the case of the wife of *Mansel* the Marshal.

II. **Stat.** 21 *Jac.* 14. When the King, or any claiming under his title, shall be out of possession, or not have received the profits of lands, &c. within the space of 20 years before any information of Intrusion brought to recover the same; In this case the Defendant shall plead the general issue, if he think fit, and shall not be prest to plead especially, and shall also retain the possession thereof, until the title be found for the King.

III. Where an information of Intrusion may fitly be brought on the King's behalf, no *Scire facias* shall issue, whereunto the subject shall be forced to a special pleading, and be derprived of the grace intended by this Act.

Ipswich.

I. **Stat.** 13 *El.* 21. The streets of *Ipswich* in the County of *Suffolk*, and of the Suburbs thereof shall be paved with good paving stone, and for ever repaired by the Owners, Landlords, or Terre-tenants along, from and against their houses, lands and tenements adjoyning to the street, *viz.* so much of the said street in length, as his house lands, &c. so adjoyning extend unto, and in breadth during all the length to the Channel, or to such place as the Channel there shall be appointed by the Bailiffs to extend unto, in pain to forfeit for every yard square not sufficiently repaired 8 d.

II. The Bailiffs of *Ipswich*, and the Portmen there, the Churchwardens, and four of every Parish shall have authority to tax upon every house, ground, and tenement there (free and copy) reasonable summs of money to be yearly paid, as well towards the finding of a convenient stipendary Minister within every Parish, as for the reparation of the Churches.

Ireland.

I. In the Book of *Magna Charta* is an Ordinance for *Ireland* concerning divers matters intituled, *Ordinatio pro statu terræ Hiberniæ.*

II. **Stat.** 17 *E.* 1. *cap.* 1. The King's officers in *Ireland* shall purvey no land there without the King's licence.

III. *Cap.* 2. King's Officers in *Ireland* shall make no purveyance there, but by writ out of the Chancery there, or in *England*, & that in time of necessity onely, and by the advice of the Council there.

IV. *Cap.* 3. All kind of Merchandizes may be exported out of *Ireland*, except to the King's enemies, and if any Officer restrain them, he

he ſhall ſatisfie double damages to the party grieved, and be alſo puniſhed by the King.

V. *Cap.* 4. The fees for every Bill of grace in *Ireland* under the ſeal of the Juſtice there, ſhall be 4 d. for the Bill, and 2 d. for the writing thereof.

VI. *Cap.* 5. The Marſhal's fee for a Priſoner, when he ſhall be delivered, is 4 d.

VII. *Cap.* 6. No pardon of the death of a man, or other felony, or for flying for the ſame ſhall be granted by the Juſtices there, but onely at the King's command, and under his ſeals.

VIII. *Cap.* 7. No Officers there ſhall receive any original writ, which is not ſealed by the ſeal of *Ireland*, or by the Exchequer-ſeal there, of things concerning that Court.

IX. *Cap.* 8. The Juſtice of *Ireland*, ſhall not delay or adjourn Aſſize of *Novel diſſeiſin* there, ſave onely in the County where he is, and while he ſhall remain there.

X. Stat. 34 E. 3. 17. All kind of Merchandize may be exported and imported out of, and into *Ireland*, as well by Aliens as Denizons.

XI. Stat. 34 E. 3. 18. All perſons, who have lands and poſſeſſions in *Ireland*, may freely import and export their Commodities thither and from thence without Impeachment.

XII. Stat. 1 H. 6. 3. All *Iriſh-men* ſhall avoid the Kingdom, except Graduates, Beneficed men, Lawyers, having Inheritance in *England*, and *Engliſh* parents, religious perſons, profeſſed Merchants, Burgeſſes, and others inhabitants of good fame, and perſons married in *England*, and all they ſhall find ſurety for the good abearing.

XIII. No *Iriſh-man* ſhall inhabit here in the Univerſities, or elſewhere, without a teſtimonial under the ſeal of the Lievtenant, or Juſtices of *Ireland*, (teſtifying that he is of the King's obeyſance) to be delivered to the Chancellor here, in pain to be puniſhed as a Rebel.

XIV. No *Iriſh-man* ſhall be Head or Governour of any Hall or houſe.

XV. Stat. 2 H. 6. 8. *Iriſh-men* coming to live in *England* ſhall give ſurety for their good abearing, *viz.* In the Univerſities, to the Chancellors; in Counties, to the Juſtices of Peace; and in Corporations and other liberties, to the Head-officers reſpectively.

XVI. Stat. 16, 17 *Car.* 30. An Act for a ſpeedy contribution and loan towards the relief of the King's diſtreſſed ſubjects of the Kingdom of *Ireland*. *See the Statute at large.*

XVII. Stat. 16, 17 *Car.* 33. An act for the ſpeedy and effectual

ſtual reducing of the Rebels in *Ireland* to their due obedience to the King and the Crown of *England*: and *cap.* 34. 35. & 37. Certain other additional Acts were made for the ſame purpoſe, and for the ſale of forfeited lands there. *All which ſee at large.*

☞ Iron.

* I. **Stat.** 28 *E.* 5. Iron made in *England*, or brought into *England* and ſold, ſhall not be exported, in pain to forfeit the value thereof to the King.

II. Juſtices aſſigned have power to inquire of Labourers: And other Juſtices to be aſſigned by the King, ſhall alſo have power to inquire of ſuch as ſell Iron at too dear a price, and to puniſh them according to the quantity of the treſpaſs.

☞ Judgment.

I. **Stat.** 14 *E.* 3. *Stat.* 1. 5. A Prelate, two Earls and two Barons ſhall have power by the King's Commiſſion to hear (by Petition) complaints for delay of entring Judgments, and to call before them the Juſtices and Records, whereof ſuch complaint ſhall be made, and calling to them the Chancellor, Treaſurer, the Juſtices of the one Bench, or the other, and others of the King's Council (as many as they ſhall think fit) ſhall give Judgment thereof, and then the Records ſhall be remanded together with the Judgment which ſhall be immediatly entred accordingly.

II. In caſe the matter be too difficult, it ſhall be referred to the next Parliament to be determined.

III. Judges and other Officers in Courts of Juſtice may be increaſed or diminiſhed, as need ſhall require, and when they ſhall enter into their offices, they ſhall make oath duly to ſerve the King and his people.

IV. **Stat.** 4 *H.* 4. 23. Judgments given ſhall continue, and the parties for whom they are ſo given, and their heirs ſhall be in peace until they ſhall be reverſed by attaint or errour, if any be.

Judicial Proceedings.

I. **Stat.** 12 *Car.* 2. *cap.* 12. Which Judicial Proceedings during the late uſurpation ſhall be good and effectual in law, and which not.

☞ Juriſdiction.

I. **Artic. Cleri.** *cap.* 6. 9 *E.* 2. Albeit a caſe be debated, and have judgment in the ſpiritual Court, yet the King's Court may afterwards diſcuſs the ſame matter, as the party ſhall think expedient for himſelf.

II. **Stat.** *pro Clero*, 25 *E.* 3. *Stat.* 3. *cap.* Coniſance of avoidance of Benefices belongs to the Eccleſiaſtical Judge, and not to the Temporal.

Furis Utrum.

I. **Weſt.** 1. *cap.* 24. 13 *E.* 1. A Writ of *Furis Utrum* ſhall be granted to trie whether free alms belong to one Church or another, in caſe where they are transferred from one Church to another.

☞ Jurors.

I. **Marlb.** *cap.* 14. 52 *H.* 3. Such as have Charters of exemption not to be impannelled upon Juries, ſhall (notwithſtanding their priviledge) be ſworn upon great Aſſizes. Perambulations, in deeds and writings of covenants (where they be named for witneſſes) and in Attaints, and when their oaths are ſo requiſite, that without them Juſtice cannot be adminiſtred.

II. **Weſt.** 2. *cap.* 38. 13 *E.* 1. No more Jurors ſhall be ſummoned in one Aſſize then 24. Alſo old men above the age of 70. or ſick, or diſeaſed at the time of the ſummons, or not dwelling in the Countrey ſhall not be put in Juries of petit Aſſizes, neither ſhall any be put in Aſſizes or Juries, that have not land worth 20 s. *per annum.* And if the Aſſizes or Juries be taken out of the County, their revenue ſhall be 40 s. *per annum*, at leaſt, except ſuch as be witneſſes to deeds or other writings, and be able to travel.

III. This Statute ſhall not extend to great Aſſizes, where many times Knights are to be impannelled; for they (by reaſon of their ſcarcity) may ſerve, albeit they dwell out of the Countrey, ſo they have land in the County for which they ſerve.

IV. No Sheriff, Under-Sheriff, or Bailiff ſhall offend againſt this Law, in pain to anſwer damages to the party, and to be amerced to the King.

V. Juſtices of Aſſize have power to hear and determine theſe offences.

VI. **Stat.** 21 *E.* 1. *Stat.* 1. None ſhall be impannelled to ſerve

out of their proper County unleſs they have lands worth 5 l. *per annum* at leaſt; nor in the County unleſs they have lands worth 40 s. *per annum*.

VII. This Statute ſhall not extend to Juries taken before Juſtices errant, nor to Corporations; but that they may do, as in times paſt.

* VIII. **Artic. ſuper Cart.** *cap.* 9. 28 *E.* 1. None ſhall be impannelled, but as is ordained by Statute, and they ſhall be next neighbours, moſt ſufficient, and leaſt ſuſpitious; in pain that the Officer who doth otherwiſe, ſhall anſwer double damages to the party grieved, and be grievouſly amercied to the King.

IX. **Stat.** 5 *E.* 3. 10. If a Juror take a bribe of either party, and be thereof attainted, he ſhall ſerve no more of any Jury, be impriſoned, and ranſomed at the King's will; and the Juſtices, before whom he ſerves, ſhall have power to hear and determine this offence according to this Statute.

X. **Stat.** 25 *E.* 3. *Stat.* 5. *cap.* 3. No Indictor ſhall be put upon the Inqueſt for the deliverance of the Indictee of felony or treſpaſs, if he be challenged by the Indictee for that cauſe.

XI. **Stat.** 34 *E.* 3. 4. Sheriffs and others ſhall array their pannels of the next people not ſuſpected nor procured, in pain to be puniſhed by the Juſtices, that take ſuch Inqueſts both to the King and the party grieved, according to the quantity of the treſpaſs and damage.

XII. **Stat.** 34 *E.* 3. 8. If any of the Jurors be accuſed by either of the parties for taking a bribe to give his verdict, the Juſtices may preſently trie it by a Jury then alſo to be taken.

XIII. If it be proſecuted by any other then one of the parties, he ſhall have the fine; but if by one of the parties, he ſhall recover damages by the aſſeſsment of the Inqueſt ſo taken. The ſuit may alſo be proſecuted before other Juſtices in form aforeſaid.

XIV. **Stat.** 2 *H.* 6. *Stat.* 1. *cap.* 3. None ſhall be admitted to paſs in an Inqueſt upon trial of the death of a man, or betwixt party and party in any plea real or perſonal, whereof the debt or damage declared amounts to 40 marks, unleſs he have lands or tenements of the yearly value of 40 s. beſides repriſes, Challenge thereof being made by the party.

XV. **Stat.** 8 *E.* 4. 3. Every Juror impannelled and returned within *Middleſex* in any of the Courts at *Weſtminſter*, at every fourth day of the return thereof ſhall be called, who then appearing, his apparence ſhall be recorded, and he ſhall not be amercied nor loſe iſſues that day in that ſuit.

XVI.

XVI. No default, eſſoin, or other delay of either party (Plaintiff or Defendant) in any perſonal action (by the law heretofore uſed) ſhall by this ordinance be prejudiced, or taken away in any manner; but ſhall be adjudged, and allowed in as ample manner, as they were before the making of this Act.

* XVII. **Stat.** 1 *R.* 3. 4. No Bailiff or other Officer ſhall return or impannel any perſon upon any inquiry at the Sheriff's turn, but ſuch as are of good name and fame, having lands and tenements in the ſame County, *viz.* Free-hold of 20 s. and Copi-hold of 26 s. 8 d. *per annum* in pain that the Bailiff or other Officer ſhall forfeit for every perſon ſo returned or impannelled, not of the ſufficiency aforeſaid 40 s. for every time, and the Sheriff 40 s. more, which ſaid forfeitures may be recovered by Action of debt, and ſhall be divided betwixt the King and the proſecutor.

XVIII. **Stat.** 4 *H.* 8. 3. For iſſues loſt by Jurors in *London*, given to the Mayor and Sheriffs there by the Statute of 11 *H.* 7. 21. *which ſee* Attaint) the ſaid Mayor and Sheriffs and their ſucceſſors may diſtrain reſpectively, *viz.* the Mayor for his, and the Sheriffs for theirs.

XIX. The Sheriffs of *London* have power to return pannels of Jurors in ſuits depending in any of the Courts at *Weſtminſter* and triable in *London*, being Citizens, and having goods of the value of 100 marks, who ſhall ſerve and be ſworn in like manner as if they had lands and tenements of 20 s. *per annum*.

* XX. The Sheriffs of *London*, ſhall return upon the firſt diſtreſs upon every Juror 20 d. and upon the ſecond diſtreſs 40 d. and upon every other diſtreſs after that, the double, until a full Jury appear and be ſworn, in pain of 10 l. to be divided betwixt the King and the proſecutor.

XXI. **Stat.** 5 *H.* 8. 5. The Statute of 4 *H.* 8. 3. (as to the iſſues to be ſet upon Jurors) ſhall be underſtood onely of writs of diſtreſs before Juſtices or Juſtice of *Niſi prius*, in ſuits depending in the Court at *Weſtminſter*, and triable at S. *Martins le grand* in the City of *London*, and not of other writs or proceſſes iſſuing out of the ſaid Courts.

XXII. **Stat.** 23 *H.* 8. 13. Trials of felons in Corporate Towns may be by freemen of the ſame Corporation worth 40 l. in goods, albeit they have no Free-hold.

XXIII. This Act ſhall not extend to any Knight or Eſquire, dwelling or reſorting in or to any ſuch Town.

XXIV. **Stat.** 35 *H.* 8. 6. Where ſuch perſons as ſhould paſs upon the trial of any iſſue in any of the Courts at *Weſtminſter*, ought to have Free-hold worth 40 s. *per annum*. The writs ſhall be in this form,

form, *Rex, &c. præcipimus, &c. quod venire facias coram, &c. 12 liberos & legales homines, &c. Quorum quilibet habeat 40 ſolid. terr. tenem. vel redd. per annum ad minus, per quos rei veritas, &c.* But when that is not requiſite, the clauſe, *Quorum quilibet habeat 40 ſolid. terr. tenem. vel redd. per annum. ad minus* ſhall be omitted.

XXV. Upon every *venire facias* that hath the ſaid clauſe, *Quorum quilibet, &c.* the Sheriff or other Officers ſhall not return any having leſs then 40 s. *per annum* freehold, out of ancient Demeſne, and in the ſame County where the iſſue is to be tried, in pain to forfeit for every one otherwiſe returned 20 s. They ſhall alſo return ſix Hundreders at leaſt, if there be ſo many in the Hundred where the venue lieth, in pain to forfeit for every Hundreder not ſo returned 20 s. And in every ſuch writ, wherein that clauſe is omitted, they ſhall not return any, unleſs he may diſpend ſome lands or tenements, out of ancient Demeſne, and in the ſaid Hundred, and alſo ſix Hundreders there upon the like pains.

XXVI. Upon every writ of *Habeas corpora*, or *Diſtringas*, with a *Niſi prius*, The ſaid Sheriff or other Officer ſhall return Iſſue upon every man as followeth, *viz.* upon the firſt writ 5 s. upon the ſecond 10 s. upon the third 13 s. 4 d. and upon every other writ afterwards, 26 s. 8 d. in pain of 5 l.

XXVII. In every ſuch writ of *Habeas corpora*, or *Diſtringas*, if a full Jury appear not, or being full, fall ſhort by challenge, the Juſtices (upon requeſt of either party) may command the Sheriff or other Officer to name ſo many others then preſent, as may make the Jury full, who ſhall be added to the former pannel, and their names annexed thereunto.

XXVIII. The parties may have their challenge to theſe *Tales de circumſtantibus*, and the Juſtices may proceed to trie the iſſue by them, together with the others returned, as well as if ſuch *Tales* had been returned upon ſuch *Habeas corpora* or *Diſtringas*, and in ſuch caſe the trial ſhall be as effectual, as if it had been tried by 12 of the Jurors returned.

XXIX. If any of the *Tales* being preſent, do not appear, or after apparence withdraw himſelf, the Juſtices may ſet a fine upon him, to be levied, as iſſues of Jurors uſe, by the Common Law, to be levied.

XXX. Albeit the Jury be made full by the *Tales*, yet the Jurors that made default, ſhall loſe iſſues, as if the Jury had remained for want of Jurors.

XXXI. Upon a reaſonable excuſe (for default of a Juror) proved by two witneſſes before the Juſtices, they may diſcharge the iſſues loſt,

loſt, and in that caſe the Sheriff or other Officer ſhall not incur the penalty for not returning iſſues: Alſo upon the not coming of the Juſtices the Jurors ſhall be diſcharged of their iſſues, and the Sheriff or other Officer of their penalties.

XXXII. If upon any *Habeas corpora* or *Diſtringas* any Juror be not lawfully ſummoned or diſtrained, the Sheriff or other Officer ſhall loſe double the iſſues returned upon ſuch Juror.

XXXIII. The ſaid forfeitures (not iſſues) ſhall be divided betwixt the King and the Proſecutor.

XXXIV. The right of others to iſſues ſo forfeited is ſaved.

XXXV. The Act ſhall not extend to any Sheriff or Miniſter of a Corporation, ſo that they return like iſſues, as before are limited.

XXXVI. **Stat.** 4, 5 *P. M.* 7. A *Tales de circumſtantibus* may (upon requeſt for the King or Queen by any authorized thereunto, or aſſigned by the Court, or, upon requeſt, by the Proſecutor or his Attorney, and by the command of the Juſtices of Aſſize of *Niſi prius*) be granted in a ſuit commenced upon a penal Statute.

XXXVII. The *Stat.* of 35 *H.* 8. 6. ſhall be interpreted to give like advantages to the king, Queen, and proſecutor, as it doth there to the Plaintiff, as if ſuch ſuits for the King had been there particularly mentioned.

XXXVIII. **Stat.** 5 *El.* 25. *Tales de circumſtantibus* ſhall be grantable in the 12 Counties of *Wales*, and the Counties Palatine of *Cheſter*, *Lancaſter*, and *Durham*, being of the ſame effect with the Statute of 35 *H.* 8. 6. *See the Statute at large.*

XXXIX. **Stat.** 14 *El.* 9. In caſe the Plaintiff or Defendant forbear or refuſe to pray a *Tales*, it ſhall be granted (by the Juſtices of *Niſi prius* in *England*, or thoſe of *Oyer*, or Aſſize in *Wales*, *Cheſter*, *Lancaſter*, and *Durham*,) at the prayer of the Defendant or Tenant; and that as well in ſuits upon penal Laws, as upon other trials.

XL. **Stat.** 27 *El.* 6. The ability of Jurors (returned upon trials) ordained (by the Statutes of 2 *H.* 5. *Stat.* 2. *cap.* 3. and 35 *H.* 8. 6.) to be 40 s. *per annum*, is increaſed to 4 *l. per annum*, upon the like pain of 20 s. to be forfeited by the Sheriff or other Officer, for every Juror otherwiſe returned; and in that reſpect the writs ſhall be *Quorum quilibet habet quatuor libras*, *&c.*

XLI. Here the iſſues to be returned ſhall be, as followeth, *viz.* upon the firſt writ 10 s. upon the ſecond 20 s. upon the third 30 s. and the double of 30 s. afterwards, until a full Jury be ſworn, or the proceſs otherwiſe ceaſe, in pain that the Sheriff or other Officer

ter ſhall forfeit 5 l. for every Juror returned with leſs iſſues ſet upon him.

XLII. Upon iſſues loſt by a failer of lawful ſummons the Sheriff or other Officer ſhall forfeit the double iſſues.

XLIII. The Sheriff or other Officer that takes a bribe, and agrees to take it (directly or indirectly) for the ſparing of a Juror ſhall forfeit 5 l. to be divided betwixt the Queen and the proſecutor.

XLIV. Upon any trial two Hundreders ſhall be hereafter deemed ſufficient, notwithſtanding any challenge hereafter to be made againſt the ſame.

XLV. All lawful challenges ſhall be admitted, notwithſtanding this Act; neither ſhall it extend to Juries in Corporations or *Wales*.

XLVI. **Stat.** 16 & 17 *Car.* 2. *cap.* 3. All Jurors, (other then ſtrangers upon trials, *Per medietatem linguæ*) returnable for trial, of iſſues in the King's Bench, Common Pleas, or Exchequer; Juſtices of Aſſize, or *Niſi prius*, *Oyer* and *Terminer*, Gaol-delivery or General or Quarter Seſſions of the Peace, after the 25 of *April* 1665, in any County of *England*, ſhall have in their own name, or in truſt for them within the ſame County 20 l. *per annum*, at leaſt in their own or their wives right, *ultra Repriſas*, of Freehold lands, or ancient Demeſne, or rents in Fee, Fee-Tail, or for life, And in every County of *Wales*, every ſuch Jurors ſhall have 8 l. *per annum*, as aforeſaid; And if any be returned otherwiſe it ſhall be a good cauſe of challenge, and the party diſcharged, upon his own allegation and oath thereof.

XLVII. No Jury man's iſſues for default ſhall be ſaved but by ſpecial order of the Judges, for good cauſe proved before the Judge where the iſſue is to be tried.

XLVIII. The writs of *ven. fac.* to be made out accordingly, and the Sheriff or other perſons to make out pannels, ſhall not return any perſons but ſuch as aforeſaid, upon pain for every perſon returned not having ſuch eſtate, the ſumme of 5 l. to the King his heirs and ſucceſſors.

XLIX. And for diſcovering ſuch perſons and eſtates, every Sheriff ſhall on the firſt day of every Seſſions after *Eaſter* yearly deliver to the Juſtices of the Peace then ſitting, the names of all ſuch perſons as are to be returned for Jury men, to be by the ſaid Juſtices, or greater part of them approved for Jury men for the year then next enſuing, and the ſaid Juſtices may adde ſuch others as are omitted by the Sheriff, to ſerve of Juries for the ſaid year: And the Sheriff, to incurre no penalty for returning any perſons

added by the Juſtices, in caſe his eſtate be of leſs value then aforeſaid.

L. No Sheriff or other ſhall return any perſon, unleſs duly ſummoned by the ſpace of ſix days at leaſt before their days of apparance. And have left with, or for ſuch perſons in writing the names of all the parties in the cauſes in which they are to ſerve as Jurors; nor ſhall take any reward to excuſe the apparance of any Juror upon pain to forfeit 10 l. for every offence: Saving to Cities and Towns Corporate, their ancient uſage in returning Jurors of ſuch eſtate as hath been accuſtomed.

LI. Writs of *ven. fac*, *Hab. Corpora* or *diſtringas* in the County Palatine of *Lancaſter* ſhall be ſued out, like as is uſed in other Counties in *England*, returnable at the then next Aſſizes, and like iſſues returned upon Jurors, and to be Eſtreated as above provided.

LII. And the Sheriff of the ſaid County of *Lancaſter* for the time being ſhall cauſe 12 lawful men ſo qualifyed as before appointed by this Act, out of every of the ſix hundreds there, to be duly ſummoned, ten days before every Aſſizes, to appear the firſt day of every Aſſizes there to attend all the ſaid Aſſizes as Jurors in ſuch cauſes between party and party, upon pain to forfeit 10 l. to the uſe of the poor of the Town where ſuch party offending doth inhabit, to be levied as other iſſues of Jurors be levied.

LIII. This Act to continue 3 years, and to the end of the next Seſſion of Parliament and no longer.

☞ Juſtice, and right, and Juſtices.

I. **Stat.** 2 *E.* 3. 8. No command ſhall be made under the great or little ſeal, to diſturb or delay common right, and the Juſtices ſhall proceed to do right, notwithſtanding ſuch commands.

II. **Stat.** 18 *E.* 3. *Stat.* 3. 1. The oath to be given to Juſtices, when they take their places, to this effect, *viz.* to ſerve the King in their Offices, warn him of any damage, do Juſtice, take no bribe, give no councel where he is a party, maintain no ſuit, nor deny right (though by command from the King) to procure the King's profit, and to be anſwerable to the King in body, lands and goods, if found in default.

III. **Stat.** 20 *E.* 3. 1. The King's Juſtices ſhall do right to all without reſpect of perſons, notwithſtanding the King's letters or commands to the contrary, wherewith (if any be) they ſhall acquaint

quaint the King and his Council therewith; they ſhall take no fee but of the King, nor give councel where he is a party; and if they do amiſs, they ſhall be at the King's will in body, lands, and goods.

IV. **Stat.** 20 *E.* 3. 2. The like is commanded to the Barrons of the Exchequer, and to diſpatch buſineſſes depending before them without delay.

V. **Stat.** 20 *E.* 3. 3. Juſtices aſſigned by Commiſſion, and of Aſſize, and Gaol-delivery, and their Aſſociates ſhall make ſuch oath, as ſhall be enjoyned them by the King's Council or the Chancery, before their Commiſſions be delivered unto them.

VI. **Stat.** 1 *Jac.* 10. None ſhall take any money or promiſe for the report of an order or cauſe referred unto them by any of the King's Judges or Court, directly or indirectly, in pain of 5 *l.* and to loſe his office or place in the ſame Court.

VII. The forfeiture is to be divided betwixt the King and the party grieved, if he will ſue for it; but if not, then betwixt the King and any other proſecutor.

VIII. This Act ſhall not prohibit the Clark from taking for his pains in writing the Report, *viz.* 12 *d.* for the firſt ſheet, and 2 *d.* a piece for the reſt.

Juſtices in Eyre.

I. **Warth.** 24, 52 *H.* 3. Juſtices in *Eyre* ſhall not amerce Townſhips, becauſe all of twelve years of age came not before the Sheriffs and Coroners, to make inquiry of robberies, Houſe-burnings, and other offences againſt the Crown, ſo that a full Inqueſt of thoſe Towns appear: Howbeit, upon an Inqueſt for the death of a man, all of 12 years of age ought to appear, unleſs they have ſome reaſonable cauſe of abſence.

II. **weſt.** 1. *cap.* 18. 3 *E.* 1. The common fine and amerciament of the whole County in *Eyre* of the Juſtices for falſe judgment or other treſpaſs ſhall hereafter be Aſſeſſed by the ſaid Juſtices upon the oaths of Knights and other honeſt men, and not by Sheriffs and Barretters, as in times paſt hath been uſed: And the ſaid Juſtices ſhall cauſe the parcels thereof to be Eſtreated into the Exchequer, and not the whole ſumme onely.

III. **Weſt.** 2. *cap.* 10. 13 *E.* 1. Juſtices in *Eyre* (in their Circuits) ſhall appoint a certain time, before which all writs ſhall be delivered in, and then the Sheriff ſhall certifie the chief Juſtice in *Eyre*, how many writs he hath, and what they concern; after which time they ſhall not be received, or (if received) ſhall have no force,

except writs, that abate during the Circuit, which may be amended; also except writs of Dower of men dying within the summons of the circuit, Assizes of *Darrein* presentment, and *Quare impedit*, (of Churches vacant within the said summons) and of *Novel disseisin*.

☞ Justices of Assize.

I. **Stat.** *Justic. Assisarum, Incerti temporis.* There shall be eight circumspect and discreet Justices Assigned to take Assizes, Juries, and Certificates throughout the Realm, *viz.* Two in the Counties of *York*, *Northumberland*, *Westmerland*, *Cumberland*, *Lancashire*, *Nottingham*, and *Darby*: Two in the Counties of *Lincoln*, *Leicester*, *Warwick*, *Stafford*, *Salop*, *Northampton*, *Rutland*, *Glocester*, *Hereford*, and *Wigorn*: Two in the Counties of *Cornwal*, *Devon*, *Somerset*, *Dorset*, *Wiltshire*, *Southampton*, *Oxon*, *Berk*, *Sussex*, and *Surrey*: And two in the Counties of *Kent*, *Essex*, *Suffolk*, *Norfolk*, *Cambridge*, *Huntingdon*, *Bedford* and *Buckingham*.

II. Assizes, Juries and Inquests of *Middlesex* shall be taken before the Justices of the Bench.

III. The said eight Justices so Assigned shall daily attend for that purpose at such places as they shall think fit, and most for the ease of the people; and writs of Assizes, Juries, or Recognizances shall be granted to be taken before none but them, save of the special grace of the King.

IV. **Stat.** 20 *E.* 3. 6. Justices of Assize have power to inquire of the misdemeanours of Sheriffs, Escheators, Bailiffs, and other Ministers, Imbraceors and Jurors, and to punish such as be found guilty; And the Chancellor and Treasurer are to hear all complaints thereof, and to apply speedy remedy thereunto.

V. **Stat.** 6 *R.* 2. 5. Justices of Assize and Gaol-delivery shall hold their Sessions in the chief Towns of every County, where the Shire-Courts there use to be holden.

VI. **Stat.** 8 *R.* 2. 2. No man of Law shall be Justice of Assize or Gaol-delivery in his own Country, and the chief Justice of the Common Bench shall be Assigned amongst others to take Assizes, and to deliver Gaols, but as to the chief Justice of the King's Bench, it shall be as for the most part of 100 years last past hath been wont to be done.

VII. **Stat.** 11 *R.* 2. 11. Because it was found inconvenient to the subject, that Justices of Assize should be bound to hold their Sessions, where the Shire-Courts use to be held, the Chancellor, by the advice of the Justices, shall have power to order that otherwise,

otherwise, as need shall be, notwithstanding the Statute of 6 *R.* 2. 5.

VIII. **Stat.** 20 *R.* 2. 3. No Lord nor other shall sit upon the Bench with the Justices of Assize, in pain of great forfeiture to the King, and the Justices are there commanded not to suffer it.

IX. **Stat.** 11 *H.* 4. 3. Justices of Assize shall deliver into the Treasury the Records of Assizes of *Novel desseisin*, *Mortdancester*, and *Certifications*, every second year after the plea determined and judgment given, and those Records shall not be amended or impaired after judgment given and recorded.

X. **Stat.** 14 *H.* 6. 3. The Sessions of the Justices of Assize and Gaol-delivery in *Cumberland*, shall be holden (in the time of peace and truce) in the City of *Carlile*, and not elsewhere, according to the Statute of 6 *R.* 2. 5.

XI. **Stat.** 33 *H.* 8. 24. No Justice, or other learned in the Law shall be Justice of Assize in the County where he was born or doth inhabit in pain of 100 l. to be divided betwixt the King and the prosecutor.

XII. This Statute shall not extend to the Clark of Assize, or to any Associate, or to any such Justice of Assize.

XIII. Neither shall these words *Justices of Assize*, or others *learned in the Law*, extend to Officers in Corporations, but that they may be Justices of Assize of fresh force, or other Assizes in the place, where they dwell or were born.

XIV. This Act shall not be prejudicial to any Justice of the one Bench or the other for hearing and determining Assizes in those Courts, nor to any Justice, that shall take any Assize by adjournment for difficulty thereof.

XV. The Clark of Assize shall not (during the Sessions) be of Council to any within the Circuit, otherwise then as to his Office appertains in pain of 10 l. to be divided betwixt the King and the party grieved.

XVI. This Act shall not extend to Justices Clarks, nor Clarks of Assize within the Dutchy and County Palatine of *Lancaster*.

Justices of both Benches.

I. **West.** 1. *cap.* 45. 3 *E.* 1. One plea shall be decided by the Justices of the King's Bench, before another be commenced; yet *Essoins* shall be entred and allowed, but let none presume to absent himself at the day to him limited.

II. **Stat.** 10 *H.* 6. *Statutum per se.* The Justices, Serjeants, and the King's Attorney shall be paid their wages by the Treasurer of *England* at *Easter* and *Michaelmas* by even portions without any o-

ther suit; *But this Statute is not in the Printed Book of Statutes.*

Justices of Gaol-delivery.

I. **Stat.** *de finibus levatis, cap.* 3. 27 *E.* 1. Justices of Assize presently after the Assizes taken shall deliver the Gaols, but if one of them be a Clerk, the other that is Lay Associating unto him, one of the most discreet Knights of the County, shall deliver the Gaols.

II. The Justices shall then also inquire, whether Sheriffs or any other have let out by plevin any prisoners not pleviable, or have offended in any thing against the *Stat.* of *West.* 2. 15, 13 *E.* 1. and shall punish them according to the form of the said Statute.

III. **Stat.** 2 *E.* 3. 2. Justices of Gaol-delivery and *Oyer* and *Terminer* procured by great men shall not be made against the form of the Statute 27 *E.* 1. 3. and Assizes, Attaints, and Certifications shall be hereafter taken before Justices commonly Assigned, being good and lawful men and having knowledge in the law, and before none other, according to the Statute of *West.* 2. 29 *E.* 1. *which see in Oyer and Terminer* 1.

IV. **Stat.** 4 *E.* 3. 2. Good and discreet persons shall be Assigned in all Shires of *England* to take Assizes, Juries, and Certifications, and to deliver the Gaols three times in the year at least.

V. There shall also be Assigned good and lawful men in every County to keep the Peace, and such as shall be indicted or taken by them and are not bailable by Law, shall not be let to main-prise by the Sheriff or any other Minister, nor otherwise delivered then at the Common-Law.

VI. Justices of Gaol-delivery shall have power to deliver the Gaols of those that stand indicted before the keepers of the Peace, which keepers shall send those Indictments before the Justices of Gaol-delivery, who shall have power to inquire of and punish Sheriffs, Gaolers, and others, which do any thing against this Act.

VII. **Stat.** 17 *R.* 2. 10. In every Commission of Peace, two men of law of the same County shall be Assigned to go and proceed to the deliverance of Thieves and Felons.

☞ Justices of Peace.

I. **Stat.** 1 *E.* 3. *Stat.* 2. 16. The King will, that in every County Good men and lawful which be no maintainers of evil or Barrettors in the Countrey, shall be Assigned to keep the Peace.

II. **Stat.** 4 *E.* 3. *Stat.* 1. *cap.* 2. Two or three of the best of reputation

reputation in the Counties ſhall be aſſigned Keepers of the Peace by the King's Commiſſion, who (together with other wiſe and learned in the Law) ſhall have power to hear and determine Felonies and treſpaſſes done in the ſame Counties, and to inflict puniſhment according to Law and reaſon.

III. **Stat.** 34 *E.* 3. 1. There ſhall be Aſſigned in every County for the keeping of the peace, one Lord, and 3 or 4 of the moſt worthy of the County, with ſome learned in the Law, who ſhall have power to arreſt and chaſtiſe Rioters, Barrettors, and other Offenders, and alſo to impriſon and puniſh them according to Law, and by diſcretion and good adviſement; alſo to bind people of evil fame to the good behaviour, and to hear and determine felonies and treſpaſſes done in the ſame County according to Law.

IV. Writs of *Oyer* and *Terminer* ſhall be granted according to the Statutes thereof made, and the Juſtices thereof ſhall be named by the Court and not by the party.

V. All general inquiries heretofore granted within any Seigniories (or the miſchiefes done thereby) ſhall from henceforth ceaſe and be repealed.

VI. The Fines impoſed by Juſtices of Peace for treſpaſſes ſhall be reaſonable and juſt.

VII. **Stat.** 36 *E.* 3. 12. In the Commiſſions of Juſtices of Peace and labourers expreſs mention ſhall be made, that they ſhall keep their Seſſions 4 times in the year, *viz.* one within the *Utas* or *Octabis* of *Epiphany*, the ſecond within the ſecond week of Lent, the third betwixt the feaſts of *Pentecoſt* and *S. John Baptiſt*, and the fourth within eight days of *S. Michael.*

VIII. **Stat.** *Canterb. Cap.* 10. 12 *R.* 2. In every Commiſſion there ſhall be but 6 Juſtices Aſſigned, who ſhall keep their Seſſions every quarter at leaſt, in pain to be puniſhed at the diſcretion of the King's Council.

IX. Every Juſtice of Peace ſhall have for his wages 4 s. a day, and the Clark of the Peace 2 s. for ſo long time as the Seſſions ſhall laſt, to be paid by the Sheriffs out of the fines and amerciaments ariſing at the ſame Seſſions, whereunto Lords of Franchiſes ſhall be alſo contributary after the rate of their part of ſuch fines and amerciaments.

X. No Steward of any Lord ſhall be Aſſigned in any commiſſion of Peace neither ſhall any Aſſociation be made to the Juſtices of Peace after the firſt commiſſion.

XI. Judges and Serjeants at Law ſhall not be bound to attend the Seſſions, but when they can conveniently intend it.

XII. **Stat.** 13 *R.* 2. *Stat.* 1. 7. Notwithſtanding the Statute of 12.

R. 2. 10. which prohibits the Stewards of Lords to be Justices of the Peace, the most sufficient Knights, Esquires and Gentlemen of the Law shall be put in Commission, and sworn to put in Execution without favour, all Statutes, which concern their Office.

XIII. **Stat.** 14 *R.* 2. 11. There shall be 8 Justices of Peace Assigned in every County.

XIV. Double Estreats of the fines and amerciaments arising at the Sessions shall be made containing the names of all the Justices there present, and the number of days they sit, and one of them delivered to the Sheriff out of which he is to answer to the Justices their wages by indenture, according to which the Sheriff shall be again allowed the wages in the Exchequer upon his account; but no Duke, Earl, Baron, or Barronet (although he be Justice of Peace and holds Sessions with the other 8) shall have any wages allowed him. *Quære whether it ought not to be* Baneret; *for so it is in the first addition of* Rastal, *which I have.*

XV. 2 *H.* 5. *Stat.* 1. 4. Justices of Peace in every Shire named of the *Quorum* shall be Resiant within the same Shire (except Lords, Judges, Serjeants at Law, and the King's Attorney) and shall keep their Sessions 4 times in the year, *viz.* in the first week after *Michaelmas*, *Epiphany*, *Easter*, and the Translation of St. *Thomas* the Martyr, *viz. Becket*, being the seventh of *July*, and oftener, if need require.

XVI. **Stat.** 2. *H.* 5. **Stat.** 2. 1. Justices of Peace shall be made of the most sufficient persons dwelling in the same Counties, by the advice of the Chancellor and the King's Council, without taking others dwelling in forein Counties to execute that office, except Lords, Justices of Assize, and the King's chief Steward, of the Dutchy-Lands in the *North* and *South* parts.

XVII. **Stat.** 18 *H.* 6. 11. Justices of Peace of *Middlesex* are not compellable to keep their Sessions above twice in the year, notwithstanding the Statute of 12 *R.* 2. 10. yet may they keep them oftener if need be, at their discretions.

XVIII. **Stat.** 18 *H.* 6. 14. None (except men learned in the Law, or inhabiting Corporations) shall be Justices of Peace, unless their Lands be worth 20 l. *per annum.*

XIX. If any be put into the Commission, not having Lands to that value, and do not within one moneth after notice thereof, acquaint the Lord Chancellor therewith, or do sit, or make any warrant, by force of such Commission, he shall forfeit to the King 20 l. to be divided betwixt the King and the prosecutor.

XX. **Stat.** 3 *H.* 7. 1. Justices of Peace shall at the next general Sessions, certifie recognizances taken for keeping the Peace, where,

where, (if the party being called) do not appear, those Recognizances shall be certified into the Chancery, King's Bench, or Exchequer.

XXI. **Stat.** 4 *H.* 7. 12. The King commandeth all Justices of Peace diligently to exercise their office, to the end that his people by that means living in peace, and injoying their own, husbandry may flourish: He also chargeth all, both poor and rich, that shall suffer any grievance from others (wherein a Justice of Peace may intermeddle) that they forthwith make complaint thereof to the next Justice of Peace, and having no remedy there, to the Justices of Assize, if it be not long before their coming into that Country, but if it be then to the Chancellor for the time being, and then the King will send for the Justice so neglecting his duty; and in case he shall finde him guilty thereof, will cause him to be put out of the Commission, and otherwise punished according to his demerits: and this Statute shall be proclaimed at every Quarter-Sessions, in pain that every Justice there present when it is not so proclaimed, shall forfeit to the King 20 s.

XXII. **Stat.** 2. 3 *P. M.* 18. A new Commission of the Peace or Gaol-delivery for the whole County shall not be a *supersedeas* to a former like Commission granted to a City or Town-Corporate, being no County.

Keeper of the Great Seal of *England.*

I. **Stat.** 5 *El.* 18. THe Authority, Preheminence, and advantages of the Lord Keeper of the Great Seal, and of the Lord Chancellor are declared to be the same to all intents, constructions and purposes.

King.

I. **Stat.** 13 *Car.* 2. *ca.* 1. What shall be High Treason against the King during his Majestie's life: *Vid. Title* Treason: *num.* XXXIX.

II. If any person or persons, during the King's life, shall maliciously and advisedly publish or affirm the King to be an Heretick or a Papist, or that he endeavours to introduce Popery; or shall mali-

maliciouſly and adviſedly by Writing, Printing, Preaching, or other ſpeaking, expreſs, publiſh, utter, or declare any words, ſentences, or other thing or things, to incite, or ſtir up the people to hatred or diſlike of the perſon of his Majeſty, or the eſtabliſhed government: then every ſuch perſon, being legally convicted, ſhall be diſabled to have, injoy, or exerciſe any place, office, or promotion eccleſiaſtical, civil, or military, or any other imployment in Church or State, other then his Peerage, and ſhall likewiſe be lyable to ſuch further puniſhment as by the Common laws and Statutes of the Realm may be inflicted in ſuch caſes.

III. If any perſon ſhall maliciouſly and adviſedly by writing, printing, preaching, or ſpeaking, publiſh, declare, or affirm, that the Parliament begun at *Weſtminſter* the 30th of *Novemb.* 1640. is not diſſolved, or not determined: or that it ought to be in being, or that there lies any obligation upon him or any other perſon, from any Oath, Covenant, or Engagement, to endeavour a change of Government; or that both, or either houſes of Parliament have a Legiſlative Power without the King, or any words to the ſame effect. Such perſons ſo offending ſhall incur the Penalty of a *Præmunire* mentioned in the Statute of 16 *R.* 2.

IV. The Solemn League and Covenant declared an unlawful Oath, and to have been illegally impoſed upon the Subjects. And all Ordinances of either or both Houſes of Parliament for impoſing Oathes, Covenants, or engagements, levying Taxes, raiſing forces or armes without the King's aſſent or by Commiſſion, were and are, and ſhall be void: Provided the ſaid Ordinances and Orders may be made uſe of according to the Act of Indemnity: 12 *Car.* 2. 11.

V. Provided no perſon be proſecuted for any offence in this Act (other then High Treaſon) unleſs it be by order of the King, his heirs or Succeſſors, under their ſign Manual, or of the Privy Council, directed to the Attorney general or ſome of the King's Council for the time being: nor unleſs ſuch proſecution be within ſix moneths, and the Indictment within three moneths after ſuch proſecution.

VI. *Proviſo*, for privilege of debate in Parliament touching repealing or altering of Laws or redreſſing publique grievances.

VII. Provided, no perſon be indicted, arraigned, condemned, convicted or attainted for any Treaſons or Offences aforeſaid, but by Teſtimony of two lawful witneſſes upon oath, brought in perſon face to face, who ſhall openly avow upon oath what they have to ſay againſt the perſon accuſed, concerning the Treaſon or offences

ſences contained in the ſaid Indictment, unleſs the party ſhall willingly without violence confeſs the ſame.

VIII. Provided, no Peer be tryed for any Offence againſt this Act but by Peers: and every Peer convicted of any Offence againſt this Act be diſabled during life to ſit in Parliament, unleſs his Majeſty ſhall pleaſe to pardon him: and upon pardon granted to any Peer or Commoner convicted of any Offence againſt this Act, the party pardoned ſhall be reſtored to all intents and purpoſes, as if never convicted.

IX. **Stat.** 14 *Car.* 2. *cap.* 10. For ſetling an additional Revenue upon the King, for better ſupport of his Crown and dignity. Every dwelling houſe and other edifice, and all lodgings and Chambers in the Inns of Court, Inns of Chancery, Colledges, and other ſocieties that are or ſhall be within *England*, *Wales*, and Town of *Barwick* (other then hereafter excepted) ſhall be charged with the annual payment for every Fire-hearth and Stove 2 s. *per annum*, and payable at *Michaelmas*, and our *Lady-day* by equal parcels, half yearly for ever.

X. Owners and occupiers of ſuch houſes and chambers ſhall give a true account thereof in writing, of all the Hearths and Stoves in them, to the Conſtables and Tithing-men within their ſeveral Pariſhes: and Conſtables and other ſuch Officers ſhall require an account of them of all Hearths and Stoves in their Houſes; and in default may enter and view the ſame; and for every falſe return, the party offending ſhall forfeit 40 s.

XI. The ſaid Conſtables and other ſuch Officers ſhall deliver the accounts of their Returns at the next quarter-Seſſions after the laſt of *May* 1662. And the Juſtices of the Peace ſhall cauſe the ſaid accompts of Hearths to be enrolled, and a duplicate thereof returned into the Exchequer.

XII. The ſaid Hearth money ſhall be collected half-yearly, within 6 days after the ſame ſhall grow due: and acquittances ſhall be given by the Officers collecting it, which ſhall be good diſcharges for the ſame: and diſtreſs and ſale of the goods of the party, in caſe of non-payment: rendring the overplus after the duty paid, and neceſſary charges for levying it.

XIII. Conſtables and other ſuch officers ſhall pay in the money collected within 20 days to the High-Conſtables of the ſeveral hundreds and limits: and ſhall have 2 d. in the pound for collecting the ſame: and ſhall deliver in writing to the High-Conſtables the names of ſuch perſons as have paid, and ſuch as have not paid the ſame.

XIV. The High Conſtables ſhall pay the moneys by them received

ved within 10 days unto the High-Sheriffs, deducting one penny in the pound for their pains: and deliver the ſeveral returns which they received from the Conſtables aforeſaid: and the Sheriffs ſhall return the moneys received, and the names of the defaulters into the Exchequer, deducting 4 d. in the pound; 3 d. whereof to the Sheriff for his pains, and 1 d. to the Clark of the Peace, which the ſaid Clerk may recover by Action of debt.

XV. *Proviſo*, making the Sheriffs of *London* and *Middleſex*, *Surrey* for that Burrough of *Southwark*, and all other Sheriffs of Cities and Towns being Counties, Collectors within their limits, and the Conſtables and other Officers, to deliver duplicates to the ſaid Sheriffs, and they enabled to levy the ſaid moneys, and give acquittances without fees: and within 40 days to pay the ſame into the Exchequer, with the names of defaulters where no diſtreſs is found: deducting as to other Sheriffs and Clarks of Peace: and the Officers of the Exchequer ſhall diſcharge perſons paying without fees: and iſſue and proceſs againſt ſuch as fail of payment where no diſtreſs can be found.

XVI. This Revenue ſhall be duely anſwered into the Exchequer, and ſhall not be lyable to or charged with any gift or grant, and any *Non obſtante* to the contrary ſhall be void, and the grantee an accomptant to the King, and the Court of Exchequer injoyned to iſſue out proceſs accordingly.

XVII. If any Action be brought againſt any perſons for execution of any thing within this Act, they may plead the general iſſue, and upon Non-ſuit, diſcontinuance, or verdict againſt the Plaintiff, the Defendant ſhall recover treble Coſts.

XVIII. Increaſe and decreaſe of Hearths and Stoves ſhall in like manner be accounted and returned by duplicates in writing into the Exchequer: and there diſcharged upon decreaſe without farther pleading.

XIX. No proſecution for any arrearages of this duty unleſs ſuit be commenced within 2 years after they become due.

XX. *Proviſo*, that no perſon who by reaſon of poverty is exempted from uſual taxes be charged with any duties in this Act.

XXI. *Proviſo*, for exempting from payment all houſes under 20 s. value *per annum*, upon certificate by the Minister and Overſeers of the poor to the 2 next Juſtices of the Peace.

XXII. *Proviſo*, That none ſhall accept or procure any gift penſion or grant from the King of this Revenue, upon penalty to forfeit double the value thereof, one moiety to be to the uſe of the poor to be recovered by the Church-wardens of the Pariſh, the other Moiety to him that will ſue for the ſame.

XXIII.

XXIII. *Proviſo*, not to charge Blowing houſes, Stamps, Furnaces, Kilns, private ovens, nor Hoſpitals, or Almeſhouſes, not having 100 l. *per annum* of endowment.

XXIV. The occupier of the Hearth for the time being ſhall be charged, his Executors and Adminiſtrators, and not the Landlord.

XXV. No perſon indebted to the King for any the ſaid duties ſhall be priviledged as a debtor, to ſue in the Exchequer, or aſſign to the King any ſuch debt.

XXVI. **Stat.** 12 *Car.* 2. *ca.* 23. Certain Impoſitions upon Beer, Ale, and other liquors, for the increaſe of the King's revenue during his Life. *See the Statute at large.*

XXVII. The ſame ſetled upon the King, his heirs and ſucceſſors for ever. **Stat.** 12 *Car.* 2. *ca.* 24.

XXVIII. **Stat.** 15 *Car.* 2. *ca.* 14. Every inhabitant, occupier of any houſe, lodging, &c. ſhall upon notice after next *Mich.* Seſſions, give a true accompt in writing under his hand, to the Conſtable of all the Hearths and Stoves in ſuch houſe, &c. who ſhall with 2 other inhabitants of the Pariſh, in the day time, enter into ſuch houſe and upon his own view, compare and ſee if the ſame be truly made, and indorſe the ſaid Account to what he finds upon his view, and return the ſame to the High Conſtable, together with a book or roll fairly written with 2 Columns, one containing the names of the perſons and number of hearths and ſtoves chargeable by the ſaid Act, the other the names of the perſons and number of Hearths and Stoves not chargeable: which being received and compared, ſhall within 6 days be tranſmitted to the 2 next Juſtices of the Peace, who are impowred to examine the ſaid High-Conſtables and other Officers concerning the truth and faithfulneſs of their actings in the premiſſes, which being done, the ſaid Juſtices are within 10 days to tranſmit the ſame to the Clark of the Peace, who within 20 days is to engroſs the ſame to be kept in the County; and within 2 moneths to engroſs and return duplicates ſigned by himſelf and 2 Juſtices of the Peace into the Exchequer.

XXIX. Penalty for omitting to return every Hearth upon the occupier 40 s.

XXX. Conſtables and Officers neglecting their duty ſhall forfeit 5 l.

XXXI. High Conſtables neglecting to perform their duties 10 l.

XXXII. Conſtables and Officers changing or leaving their offices, for that year, are notwithſtanding enabled and required to perform the duties in relation to the premiſſes; and for every day they ſhall neglect to gather the moneys due, ſhall forfeit 20 s. and

ſuch

ſuch as ſhall gather and diſtrain for the ſame, may call to their aſſiſtance any 2 ſufficient Inhabitants.

XXXIII. Sheriffs may appoint Deputies, under the Seal of their Offices, or their own hand and ſeals for collecting the ſaid duties.

XXXIV. Provided, the Lord Treaſurer and Chancellor of the Exchequer may give further allowance to the Clarks of the Peace for their pains in engroſſing and returning duplicates into the Exchequer.

XXXV. **Stat.** *16 Car. 2. ca. 3.* Reciting the ſaid defects in the former Acts. Enacted that the King, his heirs and ſucceſſors may make officers for receiving and collecting the duties upon Fire-hearths and Stoves by the former Acts, and for viewing and numbring the ſame, and for inſpecting and examining the ſeveral Rolls, Certificates and Returns, made and to be made into the Exchequer, in purſuance of the ſaid Acts, or any other thing belonging to the ſame, which Officers accompanied with the Conſtable, or Tything-man, Treaſurer or under-Treaſurer or other publick or proper Officers of the Place, (who are required to attend upon this occaſion) in all Pariſhes and places where there are no Conſtables, Tithing-men, or other publick Officer, there, without any ſuch aſſiſtance, to enter in the day time, into any dwelling or other houſe, edifice, lodgings and chambers. And ſearch and examine whether there be any more Fire-hearths and Stoves in the ſame then formerly returned and certified, and what Fire-hearths or Stoves increaſed or decreaſed ſince the former Certificate: and after to make the like ſearch yearly. And if they ſhall finde any variance in the number returned, both the Officer and Officers appointed by his Majeſty, and the Conſtable or Tything-man or other Officer, as aforeſaid, to certifie the ſame under his or their hands to the Clark of the Peace: And after a probation thereof by the ſaid Juſtices at their Seſſions, the ſame to be certified to his Majeſtie's Remembrancer in the Exchequer, and the Officer ſo appointed by the King unto the ſame ſhall, after the 24 of *June* 1664. have power to collect and levy the revenue and duties aforeſaid, and all arrears of the ſame.

XXXVI. The ſaid duties ſhall from time to time be paid after the Feaſt of St. *Michael* the Arch-angel, and our *Lady*-day yearly, unto the Officers appointed by this Act to receive the ſame, upon demand by ſuch Officer or his Deputy at the houſe, chamber, or place where the ſame duty ſhall grow due. And in caſe of refuſal or default of payment, by the ſpace of an hour after ſuch demand ſuch Officer, or his deputy may with the aſſiſtance of a Conſtable,

or

or other officer, as aforeſaid, in the day time levy the ſaid duty, and all arrears thereof by diſtreſs and ſale of the partie's goods ſo refuſing or making default, reſtoring the overplus above the ſaid duty and arrears, and neceſſary charges for diſtraining, the ſaid charges not to exceed a moiety of the duty and arrears ſo levyed.

XXXVII. Provided and enacted no perſon be diſtrained or moleſted for the ſaid duty, or any arrears after two years next after the ſame ſhall become due; nor for any arrears already incurred after 2 years, from the 24 of *June* 1664.

* XXXVIII. And in caſe of violent oppoſition, or injury done by any perſon or perſons, to any ſuch Officer or his deputy, in the due execution of this Act: the ſame proved by Oath before any one Juſtice of the Peace or chief Magiſtrate of the City, Town or place dwelling near the place, who are hereby impowred to adminiſter the ſaid oath: It ſhall be lawful for any ſuch Juſtice of the Peace, or Magiſtrate to puniſh ſuch Offendors, by impriſonment in the Common Gaol for any time not exceeding one moneth. And after the 24 of *June* 1664. All former Officers appointed to collect the ſaid duty are diſcharged: And the Officers appointed by this to collect the ſame, ſhall pay the ſame into the Exchequer, to the ends in the former Acts mentioned.

XXXIX. Provided none be employed, as aforeſaid, but upon ſecurity firſt given to the King, for due collecting and paying the ſaid Revenue and taking an oath before one of the Barons of the Exchequer, or before ſuch perſons as ſhall be authoriſed to take ſuch ſecurity and oath, by Commiſſion from the ſaid Court of Exchequer for the due and faithful execution thereof, according to the laws enacted to that purpoſe: and that they ſhall demand no fee but onely from the King, upon pain of being diſabled to execute the ſaid office or imployment: and upon legal conviction to render treble dammages to the party grieved: and ſhall ſign and deliver acquittances for money by them received without any fee or reward whatſoever: and ſuch acquittances ſhall be a final diſcharge, as in the firſt Act provided.

XL. If any perſon leave any houſe, lodging, or chamber before any half-year Feaſt, whereon the ſaid duty ought to be paid, the next occupier ſhall be chargeable with the ſame for the ſaid half year. And if any perſon ſhall fraudulently ſtop up, deface, cover, or conceal any chimney-hearth or Stove, chargeable by the ſaid Act, the ſame to be proved, either by confeſſion of the party, or upon oath before any Juſtice of the Peace, or chief Magiſtrate, or by their view, he ſhall pay double the value of the duty

for

for the ſame, to be levied, as aforeſaid.

XLI. Houſes let apart from lands belonging to them, or divided into ſeveral dwellings, and let to perſons who upon poverty may pretend exemption from payment, ſhall pay the duty as they ſhould have done before. And no perſon (except almes-houſes) inhabiting in any City, Burrough, Corporation, Market-Town or Pariſh, which hath above two Chimneys, Fire-hearths or Stoves ſhall be exempted from payment. If any queſtion or difference ſhall ariſe about the taking any diſtreſs, or levying any money by virtue of this Act, the ſame ſhall be heard and finally determined by one or more of the Juſtices of the Peace near adjoyning, or chief Magiſtrate of the Peace reſpectively, upon complaint in that behalf.

XLII. Every Collector appointed by virtue of this Act ſhall pay all moneys received into the receit of the Exchequer half yearly within 3 moneths after the Feaſts of *Michaelmas* and our *Lady*-day, upon pain of loſing his office: and all Juſtices of the Peace, Conſtables and Officers are to aſſiſt the Officers in collecting and levying the ſaid duty.

XLIII. Provided no perſon be queſtioned for any arrears due on or before our *Lady*-day, 1664. who ſhall produce to the Collector a certificate to be approved by the two next Juſtices of the Peace, for their exemption from the ſaid duty for that time, according to the Rules in the firſt recited Act; nor any perſon who hath truly paid the ſaid duty, and ſhall if required, make proof thereof before any one Juſtice of the Peace or other chief Magiſtrate of the place.

XLIV. All officers to be appointed by the King for collecting and receiving the ſaid duty ſhall allow to the Petit Conſtables and Clarks of the Peace, all allowances for their pains by former Acts appointed.

Knights.

I. **Stat.** *De milit.* 1 E. 2. Divers cauſes for which a man may be excuſed from taking upon him the order of Knighthood. *See the Statute at large.*

II. **Stat.** 16, 17 *Ca.* 20. None ſhall be hereafter compelled by writ or otherwiſe to take upon him the order of Knight-hood, and all proceeding concerning the ſame ſhall be void.

La-

☞ Labourers, Artificers, Servants, and Apprentices.

* I. **Stat.** 2, 3 E. 6. 15. ARtificers, Workmen, and Labourers, that conſpire together concerning their work or wages, every of them ſo conſpiring ſhall forfeit for the firſt offence 10 l. to the King, and if he pay it not within ſix days after conviction, by witneſs, confeſſion, or otherwiſe, he ſhall ſuffer 20 days impriſonment, and during that time, ſhall have no ſuſtenance but bread and water: for the ſecond offence he ſhall forfeit 20 l. and that not paid within 6 days, as aforeſaid, ſhall ſuffer the Pillory; and for the third offence ſhall forfeit 40 l. and that not paid within the ſaid time, ſhall again ſuffer the Pillory, loſe one of his ears, and be ever after taken as a man infamous and not to be credited.

☞ II. Juſtices of Aſſize, Juſtices of Peace, Mayors, Bayliffs, and Stewards in Seſſions, Leets and Courts have power to hear and determine theſe offences. *But quære whether this branch of this Statute be not repealed by the general words of* 5 El. 4 *following.*

* III. **Stat.** 5 *El.* 4. So much of all Statutes made, and every branch thereof as touch or concern the hiring, keeping, departing, working, wages, or order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them, and the penalties and forfeitures concerning the ſame are repealed: Howbeit the ſaid Statutes and every branch and matter therein contained, not repealed by this Act, ſhall remain in force.

IV. None ſhall hire, or be hired for leſs then one whole year in the Arts of Clothier, Woollen Weaver, Tucker, Fuller, Clothworker, Sheer-man, Dier, Hoſier, Taylor, Shoo-maker, Tanner, Pewterer, Baker, Brewer, Glover, Cutler, Smith, Farrier, Currier, Sadler, Spurrier, Turner, Capper, Hat or Felt-maker, Fletcher, Arrowhead-maker, Butcher, Cook, Miller.

☞ V. Every perſon unmarried, or under the age of 30 years, though married, having been brought up in any of the Arts aboveſaid, by the ſpace of 3 years, and not worth in lands 40 s. *per annum*; or in goods 10 l. and ſo allowed under the hands and ſeals of 2 Juſtices of Peace, the Head-officer, or two diſcreet Burgeſſes of the Place where the party ſo brought up hath lived by the ſpace of one whole year, not already retained in Husbandry, the Arts aboveſaid, or any other Art or Myſtery, or in any ſervice (upon requeſts of any perſon uſing the ſame Art) ſhall not refuſe to ſerve

for the wages limited by the Statute; and being ſo retained ſhall not depart from his or their ſervice without one Quarter's warning before 2 lawful witneſſes, or ſome lawful cauſe to be proved before one Juſtice of Peace, or Head-officer, in pain of impriſonment without bail; but upon ſubmiſſion to perform the ſervice they ſhall be inlarged without fees, which commitment and inlargement two Juſtices of Peace, the Head-officer, or 2 Burgeſſes, as aforeſaid, unto whom complaint ſhall be made, have power to command, as in their diſcretions, and upon due proof ſhall be thought fit.

VI. Every perſon between the ages of 12 and 60 not already retained in any ſervice, nor imployed about Husbandry, Mines, Glaſs, Coal, Fiſhing, Sailing, proviſion of Grain or Meal for *London*, not Gentleman born, nor Scholar in any Univerſity or School, nor worth 40 s. *per annum* in lands, or 10 l. in goods, not having a Father, Mother, or other Anceſtor (whoſe heir he is) worth 10 l. *per annum* in lands, or 40 l. in goods, ſhall be compelled to ſerve in Husbandry, and ſhall not depart that ſervice, otherwiſe then as is before limited, upon pain above expreſſed.

VII. None ſhall put away his ſervant before the end of his term without a Quarters warning, or ſome lawful cauſe to be proved by 2 ſufficient witneſſes before the Juſtices of *Oyer* and *Terminer*, Juſtices of Aſſize, Juſtices of Peace in Seſſions, a Head-officer or 2 diſcreet Alder-men or Burgeſſes in pain of 40 s.

VIII. No ſervant having ſerved in one City or Town, ſhall get to ſerve in another without a Teſtimonial, *viz.* (in a Town Corporate under the Seals of the Town, and 2 houſholders there, and in the Country) under the Seals of the Conſtable or Conſtables, and 2 houſholders there; which teſtimonial ſhall be made and delivered to the party, and alſo regiſtred by the Miniſter of the place, where the ſervant dwelt, for which the Maſter is to have 2 d.

IX. The form of the teſtimonial is this: *Memorandum, that* A. B. *ſervant to* C. D. *of* I. *in the County of* E. *Husbandman or Taylor, &c. in the ſaid County, is licenſed to depart from his ſaid Maſter, and is at his liberty to ſerve elſewhere, according to the Statute in that caſe made and provided, In witneſs, &c.*

X. The ſervant which ſheweth not ſuch a Teſtimonial to the chief Officer in a Corporation, or to the Miniſter, or ſome Officer in any other place where he is to dwell, ſhall ſuffer impriſonment till he procure one, and if he produce not one within 21 days after his Impriſonment, or ſhew a falſe one, he ſhall be puniſhed by whipping as a vagabond, and the Maſter that retains a ſervant without ſuch a Teſtimonial ſhall forfeit 5 l.

XI.

XI. Thoſe that work by the day or week ſhall continue at work, betwixt the middle of *March* and the middle of *September*, from 5 in the morning till betwixt 7 and 8 at night, except two hours allowed for breakfaſt, dinner and drinking, and half an hour for ſleeping from the midſt of *May* to the middle of *Auguſt*, and all the reſt of the year from twilight to twilight, except an hour and an half allowed for breakfaſt and dinner, in pain to have one penny defaulked out of their wages for every hours abſence.

XII. None that takes work by great ſhall leave the ſame before it be quite finiſhed, except for not payment of his wages, the Queen's ſervice, licence of the Work-maſter or other lawful cauſe, in pain to ſuffer one moneths impriſonment without bail, and to forfeit 5 l. to the party grieved, beſides his coſts, and dammages to be recovered at the common Law for the loſs ſuſtained.

XIII. None retained in ſervice to work, ſhall depart without licence, in pain of one moneth's impriſonment.

XIV. Such wages of Labourers, Artificers, and others as have been formerly rated, or concern husbandry ſhall be yearly aſſeſſed for the County by the Sheriff and Juſtices of Peace in Seſſions, and in Corporations by the Head-officer, at their *Eaſter*-Seſſions, or within 6 weeks after, and before the 12 of *July* following, ſhall be certified under their hands and ſeals in the Chancery: whereupon the Lord Chancellor or Keeper ſhall ſend down printed Proclamations thereof into every Country, and Corporation before the firſt of *Septemb.* then next following, which the ſaid Sheriffs, Juſtices, and Head-officer ſhall before *Michaelmas* after cauſe to be inrolled, and proclaimed. But here, when the old rates ſhall be certified to ſtand, no Proclamation is needful.

XV. A Juſtice of Peace or chief Officer which ſhall be abſent at the taxing of wages (being not letted by ſickneſs, or ſome other reaſonable cauſe to be allowed by the Juſtices upon *Affidavit*) ſhall forfeit 10 l.

XVI. None ſhall give greater wages then thoſe ſo rated, as aforeſaid, in pain of 5 l. and 10 days impriſonment without bail, and if any perſon ſhall be convicted before two Juſtices of Peace or a Head-officer, of taking more wages, he ſhall ſuffer 21 days impriſonment without bail.

XVII. Every retainer, promiſe, gift, or payment of wages, or other thing contrary to the true meaning of this Act; and every writing and bond to be made for that purpoſe, ſhall be void.

XVIII. If any ſervant, or other ſhall be convicted before 2 Juſtices of Peace or a chief Officer, as aforeſaid, by his own confeſſion, or the teſtimony of 2 honeſt men to have aſſaulted his Maſter, Miſtreſs,

ſtris, Dame or Overſeer, he ſhall ſuffer 1 years impriſonment, or leſs, if the Juſtice or chief Officer ſhall think fit; and if the party ſhall be thought to deſerve a more ſevere puniſhment, then to receive ſuch open puniſhment (life and member excepted) as the Juſtices in Seſſions or the chief Officer and 4 of the diſcreeteſt men in the Corporation ſhall think convenient.

XIX. Artificers ſhall work in hay-time and Harveſt, in pain of Impriſonment in the Stocks 2 days and one night, which the Conſtable ſhall inflict upon them, in pain of 40 s.

XX. It ſhall be lawful for labourers (other then ſuch as are retained in ſervice according to this Statute) to go to other Shires to work in hay-time and Harveſt, ſo that they bring with them a teſtimonial under the hand of one Juſtice of Peace, or a chief Officer, teſtifying that they have not ſufficient work in the place where they lived the Winter before, for which teſtimonial they ſhall onely pay a penny.

XXI. Every unmarried woman, fit to ſerve, being above 12 years old, and under 40, ſhall by two Juſtices of Peace, a chief Officer or 2 Burgeſſes be compellable to ſerve for convenient time and wages in pain of impriſonment.

XXII. Husbandmen being houſholders, and uſing half a Plough-land at leaſt in tillage, may take by Indenture Apprentices above the age of 10 years and under 18, to ſerve in Husbandry untill the age of 21 years, at leaſt, or 24 years, as the parties can agree.

XXIII. Every houſholder of the age of 23 years dwelling in a Town Corporate, and uſing there any Art or Myſtery, ſhall and may take an Apprentice for 7 years at leaſt; Howbeit the term ought not to expire before the Apprentice accompliſh the Age of 24 years.

XXIV. Merchants, Mercers, Drapers, Goldſmiths, Iron-mongers, Embroiderers, and Clothiers dwelling in Corporate Towns, ſhall take no Apprentices, but their own children, or ſuch whoſe parents have inheritance, or Free-hold of 40 s. *per annum*, to be certified under the hands and ſeals of three Juſtices of Peace of the County where ſuch lands lie, to the head Officer of the ſaid Corporation, who ſhall cauſe the ſame to be recorded. Artificers in Market-towns not Corporate, being houſholders, and of the age of 24 years may take other Artificers children to ſerve as Apprentices.

XXV. Merchants, Mercers, Drapers, Gold-ſmiths, Iron-mongers, Embroiderers, and Clothiers dwelling in Market-towns not corporate, ſhall take no Apprentices but their own children, or ſuch whoſe parents have inheritance of Free-hold worth 3 l. *per annum*,

to

to be certified under the hands and ſeals of 3 Juſtices of Peace, as aforeſaid.

XXVI. Smiths, Wheel-wrights, Plough-wrights, Mill-wrights, Carpenters, Rough-maſons, Plaiſterers, Sawyers, Lime-burners, Brick-makers, Brick-layers, Tylers, Slaters, Helyers, Tile-makers, Linnen Weavers, Turners, Coopers, Millers, Earthen Potters, Woollen Weavers, (of Houſwifes cloth onely) Fullers, Woodburners, Thatchers, and Shinglers may take Apprentices though their Parents have no land.

XXVII. None which hath not ſerved an Apprentice 7 years in any Art or Myſtery now uſed, ſhall uſe the ſame, or ſet any other to work therein, which hath not ſo ſerved out that time, in pain to forfeit 40 s. for every moneth.

XXVIII. Woollen cloth Weavers (other then ſuch as inhabit *Cumberland*, *Weſtmerland*, *Lancaſter*, or *Wales*, or in Cities, Corporations, or Market-towns) ſhall take no Apprentices, nor teach any their Art, ſave their own children, or ſuch whoſe parents have Inheritance or Freehold worth 3 l. *per annum*, to be certified under the hands and ſeals of 3 Juſtices of Peace of the County where the lands lie, in pain to forfeit 20 s. for every moneth; and the Indenture ſhall within 3 moneths be regiſtred in the Pariſh where the Maſter dwells, the fee of which regiſtring is 4 d.

XXIX. Every Cloth-worker, Fuller, Sheerman, Weaver, Taylor and Shoo-maker, ſhall for every three Apprentices keep one Journey-man, and for every Apprentice above three another Journey-man, in pain of 10 l.

XXX. This Act ſhall not prejudice Worſted-makers, nor Worſted-weavers in *Norwich* and *Norfolk*.

XXXI. If any perſon fit to make an Apprentice refuſe to ſerve upon demand, one Juſtice of Peace, Mayor, or Head-officer unto whom complaint thereof ſhall be made, have power to commit him to ward, until he ſhall be willing to ſerve accordingly.

XXXII. If there ſhall ariſe any difference betwixt the Maſter and the Apprentice, one Juſtice of Peace in the Country, or the Mayor, or Head-officer in a Corporation, or Market-town, ſhall have power to reconcile it, if they can; if not, then to bind over the Maſter to the next Quarter-ſeſſions, where the Juſtice of Peace or any four of them (1. *Qu.*) or the Head-Officer with the conſent of 3 of his Brethren ſhall (upon default found in the Maſter) in writing under their hands and ſeals have power to diſcharge the Apprentice of his ſervice; and if default be found in the Apprentice, then to inflict ſuch puniſhment upon him as in their diſcretions ſhall be thought fit.

XXXIII. None ſhall be bound to enter into an Apprenticeſhip, other then ſuch as be under the age of 21 years.

XXXIV. Juſtices of Peace in their ſeveral Diviſions, and Head-officers in Towns corporate ſhall meet twice every year, *viz.* once betwixt *Michaelmas* and *Chriſtmas*, and another time betwixt the *Lady-day* and *Midſummer*, to give order for the due execution of this Statute.

XXXV. Juſtices of Peace and Head-officers ſhall have 5 s. for every day they ſit about the execution of this Statute, to be allowed them out of the fines which accrue upon the breach thereof, ſo that their ſitting be onely for matters contained in this Statute, and not above three days at one time.

XXXVI. The forfeitures aforeſaid (except thoſe otherwiſe limitted) ſhall be divided betwixt the Queen and the proſecutor; And all Juſtices of Peace or any 2 of them (1. *Qu.*) and every Head-officer ſhall have power to hear and determine the breach of this Statute upon Indictment or otherwiſe, and to award proceſs and execution accordingly, and ſhall yearly in *Michaelmas* term by Eſtreat certifie into the Exchequer the fines, which accrue upon this Statute in manner as they ought to do in other caſes.

XXXVII. This Act ſhall not reſtrain the Cities of *London* and *Norwich* from taking of Apprentices as in times paſt.

XXXVIII. None ſhall take Apprentices otherwiſe then is limited by this Act, in pain of 10 l. and all indentures otherwiſe made ſhall be void.

XXXIX. An Apprentice ſhall be bound by his Indenture notwithſtanding his non-age of 21 years.

XL. The Inhabitants of *Godalming* in *Surry* may take and uſe ſuch Arts and Apprentices as Market-towns may do by vertue of this Act.

XLI. The fines accruing by this Act in Towns corporate ſhall be appointed by the Head-officer to be collected (as other fines and amerciaments) for the uſe of the ſame Towns.

XLII. When an Apprentice departs from his Maſter's ſervice into another County or Corporation, it ſhall be lawful for the Juſtice of Peace, or Head-officers there being (Juſtices of Peace) to direct a *Capias* to the Sheriff, or other chief Officer for his apprehenſion, and being taken, the ſaid Juſtice of Peace or Head-officer ſhall commit him to ward until he give good ſecurity, that he will honeſtly ſerve out his time.

XLIII. Notwithſtanding this Act High-Conſtables have power to keep their Statute-Seſſions, ſo that they there do nothing repugnant thereunto.

☞ XLIV.

☞ XLIV. Stat. 1 *Jac.* 6. The Statute of 5 *El.* 4. ſhall give power to the Juſtices of Peace to rate the wages of any Labourers, Weavers, Spinſters, and Work-men or Work-women whatſoever.

XLV. The rating of ſuch wages in Seſſions by the more part of the Juſtices within any particular Riding or Diviſion (where general Seſſions have been uſed ſeverally to be kept) ſhall be as effectual, as thoſe rated at the general Seſſions of the whole County.

XLVI. The Sheriffs and Head-officers within their ſeveral precincts ſhall cauſe the ſaid rates to be proclaimed in ſuch ſort, as if they had been ſent down printed from the Lord Keeper, which all perſons ſhall be bound to obſerve, upon the pains and penalties mentioned in the ſaid Statute of 5 *El.* 4.

XLVII. A Clothier or other convicted before the Juſtices of Aſſize, or Peace in Seſſions, or before 2 Juſtices of Peace, (1 *Qu.*) by his own confeſſion, or the evidence of 2 witneſſes not to have obſerved the ſaid rates by paying leſs then in the rates ſo appointed, ſhall forfeit 10 *s.* to the party grieved, to be levied upon warrant from the ſame Juſtices by diſtreſs and ſale of the goods.

XLVIII. None ſhall incur any danger for not making certificate of the Rates into the Chancery according to 5 *El.* 4.

XLIX. A Clothier being alſo a Juſtice of Peace, ſhall not be a rater of wages for any Artificer, that depend upon making of Cloth.

Lancaſter.

I. Stat. 33 *H.* 6. 2. An Indictment found in Lancaſhire againſt a foreigner dwelling in another County, ſhall be void, unleſs each Juror had Lands and Tenements there of the yearly value of 5 l.

II. The like Law is of an Indictment found in another County (and not in Lancaſhire) againſt an Inhabitant of Lancaſhire, where each Juror hath not Lands and Tenements worth 5 pounds *per annum.*

III. Stat. 37 *H.* 8. 16. Lands annexed to the Dutchy of *Lancaſter*, and there exchanged by the King, with others for the inlargement and conveniency of the ſaid Dutchy. *See the Statute at large.*

IV. Stat. 2. 3 *P. M.* 20. A farther enlargement of the ſaid Dutchy. *See the Statute.*

V. **Stat.** 16, and 17 *Car.* 2. *cap.* 9. An Act impowring the Chancellor of the Dutchy to grant Commiſſions for taking Affidavits within the Dutchy Liberty, to be filed and made uſe of at hearings in the Court of Dutchy-Chamber, 12 d. onely to be paid for taking the ſame.

Leaſes.

I. **Stat.** 32 *H.* 8. 28. Leaſes made by Tenant in tail, or by him who is ſeized in the right of his wife or Church (they being of full age at the time of ſuch Leaſe made) ſhall be good and effectual in the Law againſt the Leſſors, their wives, heirs, and ſucceſſors.

II. The Statute ſhall not extend to any leaſe to be made of lands in the hands of any Farmer by force of any old leaſe, unleſs ſuch old leaſe expired within a year after the making of the new; nor to any grant to be made of any Reverſion of Mannors, Lands, &c. nor to any leaſe of ſuch Mannor, Lands, &c. which have not been let to farm or occupied by Farmers, 20 years before ſuch leaſe made; nor to any leaſe to be made without impeachment of waſte, nor to any leaſe to be made for above 21 years, or three lives from the day of the making thereof, and that upon every ſuch leaſe there be reſerved ſo much yearly rent, as hath been uſually paid for the lands ſo let within 20 years next before ſuch leaſe made; and the Reverſioners of the Mannors, Lands, &c. ſo let (after the death of ſuch leſſor or his heirs) may have ſuch remedy againſt ſuch leſſee, his executor and aſſigns, as ſuch leſſor might have had againſt ſuch leſſee.

III. Provided, that all leaſes made by the husband of Mannors, Lands, &c. (being the inheritance of the wife) ſhall be made by indenture in the name of the husband and wife, and ſhe to ſeal to the ſame, and the rent ſhall be reſerved to the husband and wife, the heirs of the wife: and here the husband ſhall not alien or diſcharge the rent, or any part thereof longer then during the coverture, unleſs it be by fine levied by husband and wife.

IV. This Act ſhall not extend to give liberty to take moe Farms or Leaſes then might have been taken before this Act, (*Vide Stat.* 25 *H.* 8. 13. Sheep) nor to any Parſon or Vicar to make any leaſe, otherwiſe then they might have done before.

V. All leaſes for years made within 3 years before the 12 of *April* in 31 *H.* 8. by writing indented under ſeal by any perſon or perſons of full age, *ſane* memory, not unlawfully coarcted, nor

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covert Baron, of any Mannors, Lands, &c. wherein he or they have an eſtate of Inheritance to his or their own uſe at the time of the making thereof, and whereof the leſſee or leſſees, or their aſſignes have now the poſſeſſion by force of ſuch leaſe or leaſes, and no cauſe of re-entry or forfeiture thereof had or made, ſhall be good in law againſt ſuch leſſors, their heirs and ſucceſſors; ſo as ſo much yearly rent be reſerved for the ſame, as was paid for the ſame within 20 years next before the making of ſuch Leaſe or Leaſes; or elſe ſuch Leaſe or Leaſes to be of no other force, then they were before the making of this Act.

VI. No fine, Feofment, or other Act done by the husband onely of the inheritance of Free-hold of the wife, ſhall make any diſcontinuance, or prejudice the wife or any other, who is to injoy it after her deceaſe; the fines levied by the husband and wife onely excepted.

VII. This Act ſhall not give liberty to the wife or her heirs to avoid any Leaſe hereafter to be made of the wife's Inheritance by the husband and wife for 21 years or under, or three lives, whereupon the accuſtomable yearly rent for 20 years before is reſerved, according to the tenor of this Act.

VIII. This Act ſhall not extend to make good any Leaſe, made by any Eccleſiaſtical perſon which are made void by authority of Parl. or by any ſuch perſon or other now attainted of treaſon.

IX. Stat. 1 *Eliz. not printed.* All eſtates made by any Arch-biſhop or Biſhop of any Mannors, Lands, &c. parcel of the Poſſeſſions of their Biſhoprick, or united or appertaining thereunto, to any perſon or perſons, body politick, or corporate, other then to the Queen, her heirs and ſucceſſors, and other then for the term of 21 years and 3 lives from the time of ſuch eſtate made, and whereupon the accuſtomed yearly rent or more ſhall be reſerved and payable yearly during ſuch term for 21 years or 3 lives, ſhall be void to all intents and purpoſes.

X. Stat. 13 *El.* 10. All Leaſes, Conveyances, or eſtates made by any Maſter or Fellows of any Colledge, Dean and Chapter, or any Cathedral, or Collegiate Church, Maſter or Gardian of any Hoſpital, Parſon, Vicar, or any other having any ſpiritual or Eccleſiaſtical living, or any houſes, lands titles, or other hereditaments, being parcel of their Colledge, Cathedral, Chapter, Hoſpital, Parſonage, Vicarage, or other ſpiritual promotion, or belonging thereunto, other then for 21 years or 3 lives from the making thereof, and whereupon the accuſtomed yearly rent or more ſhall be reſerved and payable yearly during the term; ſhall be utterly void, to all intents and purpoſes.

XI.

XI. This Act ſhall not make good any Leaſe or other Grant againſt the private Statutes of any Colledge or collegiate Church.

XII. This Act ſhall not extend to any Leaſe hereafter to be made upon ſurrender of a former Leaſe, or by reaſon of any covenant or condition contained in any former Leaſe, and ſtill continuing; ſo as the Leaſe to be made contain not moe years then the reſidue of the years of ſuch former Leaſe, nor any leſs rent then is thereby reſerved.

XIII. **Stat.** 13 *El.* 20. No leaſe made of any Benefice or Eccleſiaſtical Promotion with *Cure*, or any part thereof (and not impropried) ſhall indure any longer then while the leſſor ſhall be ordinarily reſident and ſerving the *Cure*, of ſuch Benefice without abſence above 80 dayes in any one year, but that every ſuch Leaſe, *ſo ſoon as it or any part thereof ſhall come into any poſſeſſion or uſe above forbidden*, or immediatly upon ſuch abſence, ſhall ceaſe and be void: And the Incumbent ſo offending ſhall loſe a years profit of his Benefice to be diſtributed by the Ordinary amongſt the poor of the Pariſh.

XIV. Provided, that every Parſon, allowed to have two Benefices, may demiſe one of them (upon which he is not moſt ordinarily reſident) to his Curate onely, but ſuch Leaſe ſhall indure no longer then during ſuch Curates reſidence, without abſence, above 40 days in any one year.

XV. **Stat.** 14 *El.* 11. In the Statute of 13 *El.* 20. theſe words (*ſo ſoon as it, or any part thereof ſhall come to any poſſeſſion or uſe above forbidden, or*) *are repealed.*

XVI. All Bonds, Contracts, Promiſes, and Covenants hereafter to be made for ſuffering or permitting any perſon to injoy any Benefice or Eccleſiaſtical Promotion, with *Cure*, or to take the fruits thereof (other then ſuch Bonds and Covenants made for aſſurance of any Leaſe heretofore made) ſhall be adjudged of ſuch validity (and not otherwiſe then) as Leaſes thereof made: The like law is of Leaſes, Bonds, Promiſes, or Covenants made by Curates.

XVII. The Branch of the Statute of 13 *El.* 10. made to avoid certain Leaſes made by certain perſons having Spiritual Livings, ſhall not extend to houſes ſcituate in Corporations or Market-towns, or the ſuburbs thereof, nor unto the Grounds appertaining to ſuch houſes, ſo as they be not the dwelling houſes of ſuch perſons, nor have above 10 acres of ground belonging to them.

XVIII. Provided, that no Leaſe ſhall be made by force of this Act, in reverſion, or without reſerving the accuſtomed yearly rent at leaſt, or without charging the Leſſee with reparations, or for longer term then 40 years. Neither ſhall any ſuch houſes be alien-

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ed without purchaſing preſently after other lands in fee-ſimple of as good value and as great yearly value, as the houſes ſo alienated.

XIX. **Stat.** 18 *El.* 6. Upon Leaſes made by Colledges in the two Univerſities, *Wincheſter* and *Eaton*, the third part of the rent ſhall be reſerved in Grain, to be delivered to them yearly at days prefixed, after the rate of 6 s. 8 d. for a quarter of Wheat, and 5 s. for a quarter of Malt, or under thoſe prices: or it ſhall be in the Election of the leſſee to pay them in kind, at the beſt rates found in thoſe ſeveral Markets reſpectively the next Market-days before the ſaid day prefixed for the payment or delivery thereof; and all Leaſes otherwiſe made, and all bonds and aſſurances given to the contrary ſhall be void; which ſaid grain or mony ſhall be expended for the relief of the Commons and diet of the ſaid Colledges reſpectively without fraud, in pain of deprivation of the Chief Rulers of ſuch Colledges reſpectively, and of all others conſenting thereunto.

XX. This Act ſhall not extend to any Leaſe to be made by the Preſident and Scholars of S. *Johns* Colledge in *Oxford* of the Manor of *Fifield*, to the Heir male of Sir *Thomas White*, Knight, late Alderman of *London*, and founder of the ſaid Colledge.

XXI. **Stat.** 18 *El.* 11. All leaſes made by ſuch perſons as are mentioned in the *Stat.* of 13 *El.* 10. where another Leaſe is in being, not to be expired, ſurrendred, or ended within three years next after the making of ſuch new leaſe, ſhall be void: And all bonds and covenants for removing of any ſuch leaſe contrary to this Act, or to the ſaid Statute of 13 *El.* 10. ſhall alſo be void. Howbeit this Act ſhall not extend to any Leaſe or Leaſes heretofore made by any ſuch perſon or perſons.

XXII. After complaint to the Ordinary, and ſentence given upon any offence committed by the Incumbent againſt the *Stat.* of 13 *El.* 20. whereby he ought to loſe the profits of his Benefice, the Ordinary within two moneths after ſuch ſentence given, and requeſt made by the Church-wardens or one of them, ſhall grant the ſequeſtration thereof to ſuch Inhabitant or Inhabitants there, as to him ſhall ſeem convenient; and upon default in the Ordinary, it ſhall be lawful to every Pariſhioner there to retain his tithes, and for the Church-wardens to take the profits of the Glebe, and other rents and duties of ſuch Benefice to be imployed to the uſe of the poor, until the ſequeſtration ſhall be committed by the Ordinary, and then the Church-wardens and Pariſhioners are to accompt to him or them, to whom ſuch ſequeſtration ſhall be committed, and he or they ſhall imploy the ſaid Profits to ſuch uſes as by the ſaid Statute

Statute of 13 *El.* 20. are appointed, in pain to forfeit the double value of the profits withholden, to be recovered in the Eccleſiaſtical Court by the poor of the Pariſh.

XXIII. **Stat.** 43 *El.* 9. All judgments hereafter to be had for the intent to have or injoy any leaſe contrary to the Statutes of 13 *El.* 20. 14 *El.* 11. and 18 *El.* 11. or any of them, ſhall be deemed void, in ſuch ſort as Bonds and Covenants are appointed to be void, which are made for that purpoſe.

XXIV. **Stat.** 12 *Car.* 2. *cap.* 31. Leaſes and grants by Colledges, and Hoſpitals, and Elections of Heads, Maſters and Fellows, made during the late troubles, confirmed under ſome Exceptions and Proviſos.

XXV. **Stat.** 13 *Car.* 2. *cap.* 4. The King enabled to make Leaſes, Grants, and Copies of Offices, Lands, Tenements, and Hereditaments, parcel of the Dutchy of *Cornwall*, and a confirmation of ſuch as be made not exceeding 31 years or 3 lives.

Leather and Hides.

I. **Stat.** 14 *Car.* 2. *cap.* 7. None ſhall tranſport beyond Seas any raw Leather or Hides tanned or untanned, and for the regulating abuſes in Leather, and the *Stat.* 18 *El. cap.* 9. 8 *El. cap.* 14. 5 *El. cap.* 22. and 1 *Jac. cap.* 22. mentioned, and the exportaion of Hides declared a common nuſance.

The Act not to extend to prohibit the tranſporting of Bootes and Shooes, nor Hides and Leather, to be neceſſarily uſed in any Ship. *See Title* Cordwainers, Curriers, *&c.*

Lee-River.

I. **Stat.** 13 E. 18. For making the River of *Lee* Navigable from *Ware* to *London*: *See the Statute.*

Leet.

I. **Stat.** 18 E. 2. The Articles of the charge in a Leet.

II. **Stat.** 1 *Jac.* 5. No Steward or Deputy Steward of any Leet, or Court Baron ſhall make benefit to the value of 12 *d.* or more, by colour of any Grant made of the profits or perquiſites of any ſuch Courts whereof he is Steward, in pain to be diſabled for ever after to be Steward of any Court, and beſides to forfeit 40 *l.* to be divided betwixt the King and the proſecutor.

Libel.

I. **Stat.** 2 *H.* 5. 3. A Copy of a Libel grantable in the Eccleſiaſtical Court ſhall be preſently delivered upon the defendants apparance.

Limitation.

I. **Merton**, 25 *H.* 3. 8. Seiſin of ones Anceſtor in writ of *right* ſhall be from the time of *H.* 2. In a *Mortdanceſter*, writ of *Neiſe*, and of *Entry*, from the laſt return of King *John* out of *Ireland*; and in an Aſſize of *Novel diſſeiſin* from *Henry* the third's firſt Voyage into *Gaſcoign*.

II. **Weſt.** 1. 3 *E.* 1. 38. Seiſin of ones Anceſtor in a writ of *right* ſhall be from the time of *R.* 1. In an Aſſiſe of *Novel diſſeiſin* and *Nuper obiit*, from *H.* 3. his voyage into *Gaſcoign*; and in a *Mortdanceſter*, *Coſenage*, *Ayal*, and *Neiſe*, from the Coronation of *H.* 3.

III. **Stat.** 32 *H.* 8. 2. Seiſin in a writ of *right* ſhall be within 60 years before the *Teſte* of the ſame writ.

IV. In a *Mortdanceſter*, *Coſinage*, *Ayal*, writ of *Entry ſur diſſeiſin*, or any other poſſeſſory Action, upon the poſſeſſion of his Anceſtor or Predeceſſor, it ſhall be within 50 years before the *Teſte* of the original of any ſuch writ.

V. In a writ upon the parties own ſeiſin or poſſeſſion, it ſhall be within 30 years before the *Teſte* of the original of the ſame writ.

VI. In an Avowry or Cogniſance for rent, ſuit, or ſervices of the ſeiſin of his Anceſtor, predeceſſor or his own, or of any other, whoſe eſtate he pretends to have, it ſhall be within 40 yeares before the making of ſuch Avowry or Cogniſance.

VII. *Formedons* in *reverter* or *remainder*, and *ſcire facias* upon fines ſhall be ſued within 50 years after the title or cauſe of Action accrued and not after.

VIII. The party demandant Plaintiff, or Avowant that (upon Traverſe or denier by the other party) cannot prove actual poſſeſſion or ſeiſin within the times above limited, ſhall be for ever after barred in all ſuch writs, actions, avowries, cogniſance, preſcription, &c.

IX. Provided, that in any of the ſaid actions, avowries, preſcriptions, &c. the party grieved may have an attaint upon a falſe verdict given.

X. **Stat.** 1 *M.* 1. *Parl.* 2. *Seſſ. Cap.* 5. The Statute of 32 *H.* 8. 2. ſhall

ſhall not extend to a writ of *right of Advowſon*, *Quare impedit*, Aſſize of *Darrein preſentment*, *Jure patronatus*, writ of *right of ward*, writ of *raviſhment of ward*, nor to the ſeiſor of the wards body or eſtate: but the time of the ſeiſin to be alledged in ſuch caſes, ſhall be as it was at the Common law before the making of the ſaid Statute.

XI. **Stat.** 21 *Jac.* 2. The King, his heirs or ſucceſſors, ſhall recover no concealed Mannors Lands, Tenements, Rents, Tithes or Hereditaments (other then Liberties and Franchiſes, and the iſſues and profits which concern the ſame) nor make any Right, Claim, or Demand of, in, or to the ſame, by reaſon of any right or title accrued 60 years and more, and now *in eſſe*; unleſs the King or ſome of his Predeceſſors, or ſome other, under whom he claims, have been anſwered (by force of ſuch right or title) the Rents, iſſues, and profits thereof, within 60 years next before the begining of this Parliament; Or that the ſame have been duly in charge to the King, or Queen *Elizabeth*, or have ſtood *in ſuper* of record within the ſaid time.

XII. This Act ſhall not extend to impeach the King's right or title to any reverſion or remainder, nor to alter the tenures or ſervices of Lands: And here alſo, the right of all others (ſave of the King) is ſaved.

XIII. Neither ſhall this Act extend to annul the cuſtome of two pence paid for every Chaldron of Sea-Coals at *Newcaſtle* upon *Tine*.

XIV. Provided, that no putting in charge ſtanding *in ſuper*, or anſwering the rents or profits of any Lands or Hereditaments, by force or colour of any Letters Pattents, Grants of Concealments, or defective Titles, or of Lands, Tenements, or Hereditaments, out of charge or by force or colour of any inquiſions, preſentments, upon any Commiſſion, or other authority to find out Concealments, Defective Titles, or Lands, Tenements, or Hereditaments, out of charge; ſhall be deemed, or taken to be a putting in charge, ſtanding *in ſuper*, or anſwering the rents or profits to the King or his predeceſſors, unleſs thereupon ſuch Lands, Tenements, or Hereditaments have been upon any informatian or ſuit (on the behalf of the King or his Predeceſſors) upon any lawful verdict given, or demurrer in Law, adjudged, and upon a hearing ordered, or decreed to the King, or his predeceſſors, within the ſaid time of 60 years.

XV. This Act ſhall not extend to lands, for which compoſition is, or ſhall be made, before the end of this Parliament.

XVI. **Stat.** 21 *Jac.* 16. All Writs of *Formedon* in *Deſcender*, *Remainder*

Remainder, or *Revertor*, for any title or cauſe now *in eſſe*, ſhall be ſued within 20 years next after this preſent Seſſion of Parliament, and for any title or cauſe hereafter accruing within 20 years after ſuch title or cauſe ſo accruing: Otherwiſe, ſuch title ſhall be for ever after barred, and the party claiming, utterly excluded from entry.

XVII. None now having any right or title of entry into any Manors, Lands, Tenements or Hereditaments, now held from him or them, ſhall thereinto enter, but within 20 years next after the end of this Seſſions of Parliament, or within 20 years next after any other title accrued: And none ſhall at any time hereafter make any entry into any Lands, Tenements, or Hereditaments, but within 20 years next after his or their right or title, which ſhall hereafter firſt deſcend or accrue to the ſame.

XVIII. The Titles of any Infant, Feme covert, *non compos mentis*, one impriſoned, or beyond ſea, are ſaved, ſo as they commence their ſuit within ten years after ſuch imperfections removed.

XIX. All Actions upon the Caſe, (other then for ſlander) actions for accompt (other then ſuch as concern Merchandize) Actions or Treſpaſs, Debt, Detinue, Trover, and Replevin, ſhall be commenced within three years after this preſent Seſſion of Parliament, or within 6 years after the cauſe of ſuch actions or ſuit, and not after.

XX. All actions or treſpaſs, of Aſſault, Battery, Wounding and impriſonment, ſhall be commenced within one year after this ſeſſion, or within four years after the cauſe of ſuit, and not after.

XXI. All actions upon the Caſe for words, ſhall be commenced within one year after this preſent ſeſſion, or within two years after the words ſpoken, and not after.

XXII. Provided that if in any ſuch actions judgment be given for the Plaintiff, and the ſame be reverſed by Error, or a Verdict paſs for him, and upon motion in arreſt of judgment, it is given againſt him, or if the Defendant be outlawed in the ſuit, and after reverſe the outlawry: in theſe caſes the Plaintiff, his Heirs, Executors or Adminiſtrators, may commence a new Action within a year after ſuch judgment reverſed, or given againſt the Plaintiff, or outlawry ſo reverſed, and not after.

XXIII. The right of Action in the caſes aboveſaid is ſaved to an infant, Feme covert, *non compos mentis*, a perſon impriſoned or beyond Sea, ſo as they commence their ſuits within the times above limited reſpectively, after their imperfections removed.

Linne.

Linne.

I. Stat. 26 H. 8. 9. An Act for the repairing of the Town of *Linne: ſee the Statute at large.*

☞ Linnen Cloth.

* I. Stat. 28 H. 8. 4. No perſon whatſoever ſhall put to ſale any piece of Doulas, or Lockeram, unleſs the juſt length be expreſſed thereupon, in pain to forfeit the ſame, or the value thereof, to be divided betwixt the King and the ſeiſer.

* II. Stat. 1 El. 12. None ſhall uſe any means whereby Linnen Cloth ſhall be deceitful, or made worſe for uſe, in pain to forfeit the ſame, to ſuffer a moneths impriſonment, and to be fined by the Juſtices before whom he ſhall be condemned.

III. Juſtices of *Oyer* and *Terminer*, and of Aſſize, and Juſtices of Peace, or any three of them (1 Quo.) have power to hear and determine theſe offences.

☞ IV. The Informer that ſhall at the next Seſſions of the Peace after the ſeiſer, to be kept in the County where ſuch ſeiſer is made, or before two Juſtices, (1 Qu.) make due information of the offence and ſeiſer, or procure the Offender to be there indicted, and be bound by recognizances before the ſaid Juſtices to purſue the ſame matter with effect, and give evidence, as of right appertaineth, and pay the one moiety of what he recovers to the Sheriff, or other accomptant for the Queen's uſe, ſhall have the other moiety for his paines.

V. The Juſtices before whom theſe offences are tried ſhall by eſtreat certifie the forfeiture into the Exchequer.

See more title Mannufacture, *num.* III.

Livery and Ouſter le main.

I. Stat. *De eſcheatoribus* 29 E. 1. Where, by Inqueſts taken before the Eſcheator, upon the King's writ returned, it is found, that nothing is holden of the King, the Eſcheator ſhall be immediatly commanded by the King's writ, out of the Chancery, to put from his hands the Lands ſo taken into the King's hands, and if the Eſcheator have received any profit thereof, he ſhall reſtore it: Howbeit, if the King's title may afterwards be made appear by remembrances in the Chancery, Exchequer or elſewhere, the Lands ſhall be reſeiſed, and the mean profits anſwered to the King, and in ſuch caſe

caſe *Scire facias* ſhall iſſue out againſt the party to ſhew cauſe why they ſhould not be reſeiſed. *Vide Artic. ſuper Cart.* 28 E. 1. *cap.* 19. *To the like effect as to the* Ouſter le main, *and rendring the mean profits, when there is no cauſe of ſeiſor.*

II. **Stat.** 28 E. 3. 4. Where the King's tenant after he hath had livery, hath been charged with rents, and other paiments become due after ſuch livery for part of the time *pro rata*; hereafter the Eſcheator ſhall be charged with the Caſual and continual profits which happen before the livery (*pro rata*) according to the time, and the tenant ſhall receive certain paiments of rent, &c. which happen after the livery, without any abatement thereof (*pro rata*) for the time.

☞ Liveries of Companies and Retainers.

* I. **Stat.** 1 R. 2. 7. None ſhall give liveries for maintenance of quarrels or other conſpiracies, in pain of impriſonment and grievous forfeiture to the King: And the Juſtices of Aſſize ſhall diligently inquire of ſuch as gather together in Fraternities for ſuch purpoſes, and ſhall puniſh them according to their demerits.

London.

I. **Stat.** *de Gavelet*, 10 E. 2. The Lords of Rents in *London* may recover them by a writ of *Gavelet*, in their Hoyſtings, and in default thereof, the Lands, in demeſne.

II. **Stat.** 28 E. 3. 10. The Mayors, Sheriffs and Aldermen of *London* ſhall cauſe errours, defaults, and miſpriſions there to be redreſſed, in pain to forfeit for the firſt default 1000. marks, for the ſecond 2000 marks, and for the third to have the franchiſe and liberty of the City ſeiſed: And their defaults herein ſhall be inquired of by Inqueſts of *Kent*, *Eſſex*, *Suſſex*, *Hertford*, *Buckingham*, and *Berks*, as well at the King's ſuit, as of others that will complain.

III. The Maior, Sheriffs and Aldermen, being indicted, ſhall be cauſed by due proceſs to come before the King's Juſtices aſſigned thereunto out of the City, and there ſhall be made to anſwer as well to the King as to the party grieved, and their trial ſhall be by forein Inqueſts, as aforeſaid; whereupon if they be attainted, the ſaid pain ſhall be levied upon them, and the Plaintiffs alſo ſhall recover treble damages.

IV. In the proſecution of ſuch ſuits, the Conſtable of the Tower or his Lievtenant ſhall execute all proceſſes in the City, which

process shall be by attachment, distress and *exigent*; and in the King's case, the *exigent* shall be awarded after the first *Capias* returned, but after the return of the third *Capias*, at the suit of the party.

V. If they have lands out of the City, process shall issue against them in the Countie, where such lands be, by attachment and distress.

VI. Every of them that appear, shall answer particularly for himself, as well at the peril of him that is absent, as of himself.

VII. This Ordinance shall extend to all other Cities and Boroughs throughout the Realm: Howbeit the Inquests in such cases shall be taken by foreign people of the Counties wherein such Cities and Boroughs are scituate: and the pains to beset upon them shall be adjudged by the Justices thereto assigned.

VIII. **Stat.** 1 *H.* 4. 15. The penalties of 1000 and 2000 marks (imposed by the Statute of 28 *E.* 3.) shall not be limited to a certainty, but the penalties shall from henceforth be left to the discretion of the Justices thereunto assigned, in like manner as it is for other Cities and Boroughs.

IX. **Stat.** 35 *H.* 8. 10. An Act for repairing, making and mending the Conduits in *London*.

Lords.

I. **Stat.** 31 *H.* 8. 10. A direction how Lords and other great Officers are to be placed in Parliament: *See the Statute at large.*

Madder.

I. **Stat.** 14 *Car.* 2. *ca.* 30. IMportation of Madder allowed, and the plantation thereof in *England* encouraged; and the punishment of such as shall mix it with sand or corrupt it.

II. The said Act repealed *per Stat.* 15 *Ca.* 2. *Ca.* 16. *Stat.* 3. *in fine.*

☞Mainprise and Bail.

I **Marlb.** 52 *H.* 3. 27. Albeit a Clark being upon an offence against the Crown (after arrest) let to bail or replevied by the King's command, will not or cannot (by reason of his Clarks Office) make answer before the Justices yet shall not those who let him to bail, or his sureties be amercied, so as he appears before the Justices.

H. west.

II. *West.* 1. 15. 3 *E.* 1. Forasmuch as before this time it hath not been determined what persons are repleviable, and what not, save only such as be taken for the death of a man, or by the command of the King or his Justices, or for the Forest; it is now provided that Persons outlawed, and such as have abjured the Realm, Provors, and such as be taken with the manner, Prison-breakers, Thieves, openly defamed and known, Appellees by provors, (during the life of such provors) house-burners, counterfeiters of the King's Seal or Coyn, Excommunicate persons, manifest Offenders and Traitors, are not repleviable by common Writ or without Writ.

III. Persons guilty of Larceny by Inquests, taken before Sheriffs or Bailiffs, or of petty Larceny, not before detected or accessary to any felony, or onely guilty of some light suspicion, are bailable by good sureties, for which the Sheriff shall be answerable.

IV. If any Sheriff or other, having the custody of a prison, set any at large by surety who is not repleviable, and be thereof attainted, he shall loose his fee and office for ever; and if any under-officer doth it, he shall suffer three months imprisonment, and make fine at the King's will.

V. If any withhold prisoners repleviable, after they have tendred sufficient surety, he shall be grievously amercied; and if he take any reward for the deliverance of such, he shall pay double to the prisoner, and be also grievously amercied.

VI. **Stat.** 3 *H.* 7. 3. Two Justices (1. *Qu.*) have power to let to bail persons bailable by Law, until the next Quarter-Sessions or Goal-delivery, and shall theoe certifie the same, in pain of 10 *l.*

VII. The Sheriff and all others having the custody of Gaols, shall certifie the names of all prisoners in their custody to the Justices, of Gaol-delivery, at their geneal Gaol-delivery, in pain to forfeit for every such default 5 *l.*

VIII. The Statute of 1 *R.* 3. 3. which gave power to one Justice of Peace to bail prisoners is repealed.

IX. **Stat.** 1. 2 *P. M.* 13. None shall be let to bail, which are forbidden to be bailed by 3 E. 1. 15.

X. None arrested for Man-slaughter or Felony (or suspition thereof being bailable by Law) shall be let to bail, save only in open Sessions, or by two Justices (1. *Qu.*) being both present at the time of such bailment, which shall be certified (together with the examination of the prisoner, and the information of the accusers) under their own hands, at the next Gaol-delivery, and such examination and information shall be taken before the bailment.

XI. The said Justices have power to bind by Recognizance all

ſuch as can declare any thing material againſt the priſoner, to appear at the Gaol-delivery, and ſhall there make certificate of the ſaid Recognizance.

XII. The Juſtices that offend any branch of this Act are liable to be fined by the Juſtices of Gaol-delivery.

XIII. This Act ſhall not reſtrain Juſtices within *London* and *Middleſex* to let to bail priſoners, as heretofore they have uſed, only they ſhall certifie their examinations, bonds and bailments at the next Gaol-delivery of their Juriſdiction, in pain to be fined as aforeſaid.

XIV. Every *Habeas Corpus* or *Certiorari* for the removing of a priſoner ſhall be ſigned by the chief Juſtice, or one of the Juſtices of the Court, out of which the Writ iſſues, in pain of 5 l. to be forfeited by the writer.

XV. **Stat.** 2.3 *P.M.* 10. One accuſed of Manſlaughter or Felony, who, for want of bail, is to be ſent to the Gaol, muſt be examined by the Juſtice, before he ſends him thither, and the accuſers muſt be bound over to give in evidence againſt him, whoſe information muſt alſo be taken and committed to writing within two daies after at fartheſt, and all certified in at the next Gaol-delivery, as by the Statute of 1. 2 *P. M.* 13. is limited, upon the penalty therein expreſſed.

Maintenance.

* 1. **Weſt.** 1. 28. 3 *E.* 1. No Clark of the King or of any Juſtices ſhall receive the preſentment of any Church for which there is debate in the King's Court, without the King's ſpecial licence in pain to loſe the Church, and his ſervice: And that no Clark of any Juſtice or Sheriff take part in any ſuites, or uſe fraud, whereby common right may be delaied, in pain to be puniſhed, as aforeſaid, and more grievouſly, if the treſpaſs require it.

II. **Stat.** 1 *E.* 3. *Parl.* 2. 14. None ſhall maintain quarrels, and parties in the Country, to the let and diſturbance of the Common Law.

III. **Stat.** 20 *E.* 3. 4. None ſhall maintain any quarrels ſave their own, in pain to have their body, lands and goods to be at the King's pleaſure.

IV. **Stat.** 1 *R.* 2. 4. No great Officer of the King ſhall maintain quarrels in the County, in pain of a fine, to be impoſed by the King and his Council, and no other perſon; in pain of impriſonment and to be fined at the King's will, and if he be the King's Officer, or houſhold ſervant, he ſhall alſo loſe his Office.

V. **Stat.**

V. **Stat.** 7 *R.*2.15. The Statutes of 1 *E.*3. *Parl.*2.14. 4 *E.*3. 11. (*which ſee in* Niſi prius) 1 *R.*2.4. and 1 *R.*2.9. (*which ſee in* Feoffments) made againſt Maintenance and Champerty: ſhall be duly put in execution.

* VI. **Stat.** 32 *H.* 8. 9. All Statutes which concern Maintenance, Champerty, and Embracery ſhall be duly put in execution.

VII. None ſhall buy any pretended right or title to any land, unleſs the Seller hath taken the profits thereof one whole year next, before ſuch bargain, in pain that both the buyer and ſeller ſhall each of them forfeit the value of the ſame land, to be divided betwixt the King and the proſecutor.

VIII. None ſhall unlawfully maintain any ſuit or Action, retain any perſon for maintenance, imbrace Jurors, or ſuborn witneſſes to the hindrance of juſtice, or the procurement of perjury, in pain to forfeit for every ſuch offence 10 l. to be divided betwixt the King and the proſecutor.

IX. Howbeit purchaſing of a pretended title by him that is already lawfully poſſeſſed of the thing whereunto title is made, is lawful.

X. Proclamations ſhall be made at the Aſſizes of the Statutes made againſt Maintenance, Champerty, Embracery, and unlawful retainers.

XI. The offenders againſt this Act ſhall be proſecuted within one year.

☞ Malt.

I. **Stat.** 17 *R.*2 4. Malt made in the Counties of *Huntingdon*, *Cambridge*, *Northampton*, and *Bedford*, and brought to *London* for the proviſion of the Court and City ſhall be well cleanſed from duſt and other filth: and Mayors, Bailiffs and Wardens of Towns and places, where it is ſold, have power to make ſearch and to fee ſuch defaults redreſſed.

* II. **Stat.** 2 *E.*6.10. None ſhall imploy leſs time in the making and drying of Malt, except in the moneths of *June*, *July* and *Auguſt* then three weeks; and in thoſe moneths leſs then 17 days; nor put to ſale any Malt mingled of good and bad, in pain to forfeit for every quarter ſo put to ſale 2 s. to be divided betwixt the King and the proſecutor.

III. None ſhall put any Malt to ſale before (by treading, rubbing and fanning it) he ſhall have conveniently taken out of every quarter half a peck of duſt or more, in pain to forfeit 20 d. for every

quarter otherwiſe ſold; to be divided betwixt the King and the proſecutor.

IV. Juſtices of Peace in Seſſions and Stewards in Leets have power to hear and determine theſe offences, as well by preſentment of twelve men, as by information of two witneſſes.

V. Bailiffs and Conſtables of Towns and places, where faulty Malt is made or mingled, as aforeſaid, have power to make ſearch for it, and being found (with the advice of a Juſtice of Peace) to make ſale thereof at their diſcretions.

VI. None ſhall be puniſhed by this Act, who onely maketh Malt for his own proviſion, nor unleſs the Action be proſecuted within one year.

☞ VII. **Stat.** 39 *El.* 16. Juſtices of Peace in Seſſions have power at their diſcretions to reſtrain the ſuperfluous number of Malſters, and alſo of the buyers of Barley to be converted into Malt.

VIII. If any perſon ſhall be convicted by the teſtimony of two Witneſſes or his own confeſſion, to have diſobeyed the reſtraint aforeſaid, they ſhall ſuffer three days impriſonment without bail, and ſhall there remain untill they ſhall (before ſome Juſtice of Peace) become bound by recognizance in 40 l. to obey the ſaid reſtraint.

IX. Juſtices of Peace in the County ſhall not execute this Law within Corporations; but onely the Juſtices and chief Officers of the ſame Corporations.

X. Such as have Barly of their own growing, tith-corn, or rent-corn, may convert it into Malt, notwithſtanding this Statute.

XI. Malſters ſhall not meddle with the execution of this Act.

XII. **Stat.** 3 *Jac.* 11. When Malt is at 16 s. the quarter, Beer may be tranſported to the King's Allies in Cask: And the impoſt ſhall be 8 s. and the Cuſtom 18 d. for a ſubject; but for a Stranger 10 s. and 22 d. half peny.

XIII. This Act ſhall not infringe the Statute of 35 *El.* 11. 1 *Jac.* 25. or any other Statute made for the bringing in of Clapboard, Cask, or Scaffold board.

Manufactures.

*I. **Stat.** 14 *Car.* 2. *cap.* 13. An Act prohibiting importation of forein Bone-lace, Cutting Imbroidery, Fringe, Bandſtrings, Buttons and Needle-work.

II. Juſtices of the Peace may cauſe ſearch to be made for any of the ſaid Wares imported contrary to this Act.

See the Act at large.

III.

III. **Stat.** 15 *Car.* 2. *cap.* 15 *Stat.* 3. Any perſon Native or Alien may freely ſet up or uſe the trade of breaking, or dreſſing of Hemp, Flax, making of Threed, Twine, or Nets for Fiſhery, or of Storing of Cordage, and the trade of making any ſort of Tapiſtery.

IV. All foreiners *bonâ fide* uſing the ſaid trades in *England*, *Wales* or *Barwick*, by 3 years and taking the oathes of *Allegiance* and *Spuremacy* before 2 Juſtices of the Peace, next dwelling (who are impowred hereby to adminiſter the ſame) ſhall enjoy all previledges as natural born ſubjects.

V. All foreigners which ſhall exerciſe any the ſaid trades by vertue of this Act, ſhall not pay any other taxes or impoſitions then as natural born ſubjects, unleſs they uſe Merchandiſe into foreign parts, in which caſe they ſhall pay ſuch cuſtoms as Aliens for 5 years next enſuing and no longer.

Merchants, Merchandiſe.

I. **Magna Charta**, 30. 9 *H.* 3. Merchant-ſtrangers ſhall have ſafe conduct of coming into, going out of, and remaining in *England*, to buy and ſell without being exacted upon by exceſſive tolls, except in time of war, if they be of our enemies Countrey: And albeit they be ſo, yet ſo long as our Merchants be uſed well there, they ſhall have the like uſage here.

II. **Stat.** 9 *E.* 3. 1. Merchant-ſtrangers may freely buy and ſell within the Realm, without diſturbance, except they be alien enemies.

III. If any diſturbance or abuſe be offered them or any other Merchant in a Corporation, and the Head-Officer there do not (upon requeſt) provide remedy, the Franchiſe ſhall be ſeiſed into the King's hand, and the diſturber (being thereof attainted) ſhall anſwer double damages to the party grieved, ſuffer one years impriſonment, and be ranſomed at the King's will.

IV. If the diſturbance be out of a Franchiſe, and the Lord there or his Bailiff, Conſtable, or other Chief Ruler do not (upon requeſt) provide remedy, he ſhall (being attainted thereof) render double damages to the party grieved, and the diſturber (being alſo thereof attainted) ſhall alſo ſuffer one whole years impriſonment, and be ranſomed at the King's will.

V. Howbeit Merchants-aliens ſhall carry no wines out of this Realm.

VI. This Law ſhall be ſtrictly obſerved throughout the Realm,

notwithſtanding any Charter, Franchiſe, or Cuſtom to the contrary, ſaving to the King his due Cuſtoms.

VII. The Chancellor, Treaſurer, Juſtices aſſigned by commiſſion to hold pleas, and others by ſpecial commiſſion from the King, ſhall have power to hear and determine theſe miſdemeanors.

VIII. Stat. 14 E. 3. *Stat.* 2.2. All Merchants (except enemies) may ſafely come into *England* with their goods and Merchandize, tarry and return, paying the cuſtoms and ſubſidies.

IX. Franchiſes and free cuſtoms reaſonably granted to Cities, Towns and Burroughs are ſaved.

X. Stat. 25 E. 3. *Stat.* 4. 2. The Statute of 9 E. 3. 1. is confirmed, and all Statutes, Charters, Letters Patents, Proclamations, Commandements, Uſages, Allowances, and Judgments to the contrary are repealed and made void.

XI. All Merchants may freely ſell their commodities without challenge or impeachment of any Officer or other, notwithſtanding any franchiſe, grant, or cuſtom to the contrary.

XII. The King may aſſign Juſtices to inquire of ſuch as offend this Law, and to inflict puniſhment upon them according to the ſaid Statute of 9 E. 3.

XIII. Any that will ſue againſt any ſuch offender may have a writ out of the Chancery for that purpoſe.

XIV. Stat. *Stapul.* 27 E. 3. *Stat.* 2. 2. A ſafe conduct is granted to Merchant-Strangers (except alien enemies) to come and dwell in this Realm, and to return when they pleaſe, as alſo to ſell their commodities without having them taken from them againſt their will upon any colour whatſoever.

XV. If any Officer or other offend againſt this Law, he ſhall be arreſted by the Head-Officer of the place, if it be out of the Staple, and if within the Staple, then by the Major and Miniſters of the Staple, and ſhall be ſpeedily proceeded againſt according to the Staple Law, and not at the Common Law, and being attainted thereof, ſhall anſwer double damages to the party grieved and as much to the King.

XVI. All Commiſſions made or to be made to take ſuch prizes of Merchants ſhall be void.

XVII. Stat. 27 E. 3. *Stat* 2. 3. All Merchants may buy Merchandiſe of the Staple, ſo as they bring them to the Staple.

XVIII. It ſhall be felony for an *Engliſh*, *Welſh*, or *Iriſh* man to tranſport Wool, Leather, Woolfels, or Lead.

XIX. No *Engliſh*, *Welſh*, or *Iriſh* man ſhall tranſport Wool, Leather, Woolfels, or Lead in a ſtrangers name, or keep a ſervant beyond

beyond Sea to ſurvey the ſale thereof, or to receive mony there for the ſame.

XX. There ſhall be no Exchange of wares for Merchandize of the Staple, but payment in gold, ſilver, or *Engliſh*, *Welſh* or *Iriſh* merchandize; neither ſhall any Merchants make any confederacy in fraud or deceit of this Ordinance; and all this upon the pains aforeſaid.

XXI. Every man may carry his own Wooll, Leather, Woolfels and Lead to the Staple to ſell them there; howbeit he ſhall then warrant the packing of his wools.

XXII. **Stat.** 27 *E.* 3. *Stat.* 2. 11. All Merchants may freely ſell their merchandize at the Staple by groſs or by retail without challenge or impeachment; but it ſhall be felony to foreſtal, buy, or give earneſt for any merchandize before they come to the Staple or Port, or to enter the Ship for that purpoſe.

XXIII. **Stat.** 27 *E.* 3. *Stat.* 2. 13. If a Merchant loſe his goods at Sea by Piracy or Tempeſt (not being wreck) and they afterwards come to land, if he can make proof that they are his goods, they ſhall be reſtored to him in places guildable, by the King's Officers and 6 men of the Country, and in other places, by the Lords there or their Officers, and 6 men of the Country.

XXIV. **Stat.** 27 *E.* 3. *Stat.* 2. 17. No Merchant ſhall be impleaded for another's treſpaſs and debt, whereof he is not debtor, pledg, nor main pernor: Howbeit, if any of this Realm indammaged by forein Lords or their ſubjects have not right done them, Letters of Mart ſhall be granted to repair them.

XXV. If any difference ariſe betwixt the King and any other forein Lord, who hath Merchants here his ſubjects, thoſe Merchants ſhall have (by Proclamation) fourty dayes given them to depart, and if (for ſome juſt cauſe) they cannot go ſo ſoon, they ſhall have longer time given them, until they may conveniently depart, and ſhall in the mean time ſell their Merchandize, if they can.

XXVI. **Stat.** 27 *E.* 3. *Stat.* 2. 26. Merchant-Strangers upon letters of credence, or their oath, ſhall be believed concerning the content of their merchandize, and ſhall pay 3 d. *per libr.* according to the content ſo teſtified, and their goods ſhall be thereupon immediately delivered unto them without unſealing or opening them according to the Charter granted them by *E.* 1. and confirmed by this King, and all this in pain that the Officer herein offending ſhall ſuffer impriſonment, pay quadruple dammages to the party grieved, and as much to the King: And here the remedy ſhall be in Chancery.

XXVII.

XXVII. **Stat.** 38 *E.* 1. 2. Any Merchant may uſe more merchandize then one, notwithſtanding the Statute of 37 *E.* 3. 5. and may buy, ſell and tranſport all kind of Merchandize, paying the cuſtoms and ſubſidies due for the ſame, wool and woolfels only excepted.

XXVIII. **Stat.** 2 *R.* 2. 1. Merchant ſtrangers (not enemies) may buy and ſell all things vendible within the Realm in groſs or by retail, except wines and great wares, as cloth of gold and ſilver, ſilk, ſandal, napery, cloth, canvas, and the like, which are to be ſold in groſs or by whole pieces, in pain of forfeiture thereof.

XXIX. Here the priviledges of Prelates and Lords for purveyances, and the things provided for by the Statute of the *Staple* of *Calais* are ſaved.

XXX. Merchants may buy and ſell in Fairs and Markets in groſs or by retail, notwithſtanding this Statute.

XXXI. Diſturbers of Merchants againſt this Act (being thereof attainted) ſhall render double dammages, ſuffer a years impriſonment, and to be ranſomed at the King's will.

XXXII. If right be not done to the party grieved in a Frainchiſe, it ſhall be ſeiſed into the King's hands; if out of a Franchiſe, the Lord or his Officer ſhall render to the party grieved double dammages.

XXXIII. The Chancellor, Treaſurer, Juſtices aſſigned to hold pleas, and Juſtices aſſigned by ſpecial Commiſſion ſhall hear and determine theſe offences.

XXXIV. **Stat.** 5 *R.* 2. *Stat.* 2. 1. Merchant ſtrangers may come into this Realm, continue here, and depart at their pleaſure, without diſturbance or impeachment of any, and ſhall be friendly entertained and intreated of all.

XXXV. **Stat.** 11 *R.* 2. 7. The Statutes of 9 *E.* 3. 1. and 25 *E.* 3. *Stat.* 4. 2. are confirmed, notwithſtanding any Charter, Proclamation, Cuſtom, &c. to the contrary.

XXXVI. **Stat.** 14 *R.* 1. 9. Merchants ſtrangers ſhall be courteouſly intreated, to the end they may be thereby the rather incouraged to come into this.

XXXVII. **Stat.** 16 *R.* 2. 1. No Merchant-ſtranger ſhall buy or ſell within the Realm with another Merchant ſtranger to ſell again; nor ſhall ſell any Merchandize by retail but victuals: only wine he ſhall ſell by whole veſſels.

XXXVIII. The Statutes of 9 *E.* 3. 1. 25 *E.* 3. *Stat.* 4. 2. & 11 *R.* 2. 7. are confirmed.

XXXIX. **Stat.** 20 *R.* 2. 4. The Statute of 28 *E.* 31. (*which ſee in*

in Staple) is confirmed, notwithſtanding any Ordinance or uſage to the contrary.

XL. **Stat.** 4 *H.* 4. 15. Merchants ſhall not export the money which they receive for Merchandize imported, but ſhall beſtow it upon merchandize of this Realm, their reaſonable coſts excepted.

XLI. **Stat.** 5 *H.* 4. 7. Merchant-Strangers ſhall be uſed in this Realm, as merchants Denizons be in other Countrys in pain that ſuch Merchant-Strangers ſhall forfeit their goods and ſuffer impriſonment.

XLII. **Stat.** 5 *H.* 4. 9. Merchant-ſtrangers ſhall give ſecurity to the King's Cuſtomers and Controllers to employ their money upon the Commodities of this Realm, their reaſonable coſts excepted.

XLIII. The Statute of 4 *H.* 15. is confirmed.

XLIV. Merchant-ſtrangers ſhall ſell their Commodities within a quarter of a year next after their arrival, and imploy the money received by exchange upon Commodities of this Realm, in pain to forfeit the ſame money.

XLV. No Merchant-ſtranger ſhall ſell any Merchandize to another Merchant ſtranger, in pain to forfeit the ſame.

XLVI. The head-officer or officers of the Port where a Merchant-ſtranger ſhall arrive, ſhall aſſign him an Hoſt, with whom he ſhall reſide, and the Hoſt ſhall take for his pains as hath been accuſtomed.

XLVII. **Stat.** 6 *H.* 4 4. The clauſe of the Statute of 5 *H.* 4. 9. injoyning Merchant ſtrangers to ſel their Commodities within a quarter of a year next after their arrival, is repealed, ſaving the liberties of *London*.

XLVIII. Merchant ſtrangers ſhall not export any Merchandize imported by the Merchant-ſtrangers.

XLIX. **Stat.** 7 *H.* 4. 9. All Merchandize may be ſold in groſs in *London*, as well to all the King's people, and to the Citizens of *London*, notwithſtanding any franchiſe or Liberty to the contrary.

L. **Stat.** 4 *H.* 5. 5. The Statutes of 5 *H.* 4. 7. & 5 *H.* 4. 9. touching the uſing of Merchants ſtrangers, are confirmed.

LI. **Stat.** 8 *H.* 6. 24. No Merchant Alien ſhall conſtrain any of the King's ſubjects to pay him his debt in gold, nor refuſe to receive payment thereof in ſilver, in pain to forfeit the double value thereof.

LII. No Engliſh man ſhall ſell his goods to a Merchant-alien but for preſent payment in money or forother Merchandize to be pre-

preſently delivered, in pain to forfeit the ſame.

LIII. **Stat.** 3 *E.* 4. 5. Certain wares and Merchandize, which it is not lawful to bring into this Realm ready wrought, being things made by handy-craft-men: *See the Statute at large.*

LIV. Such wares taken upon the Sea, or coming a ſhore by wreck, and ſuch as are wrought in *Ireland* or *Wales* are excepted.

LV. Chief Officers of Cities, Towns, &c. ſhall have authority to make ſearch for wares of that kind, which are defective. But here S. *Martins le grand* is excepted: *Howbeit this Statute was to ſtand in force but during the King's will, and therefore* quære *whether it be now in force.*

LVI. **Stat.** 17 *E.* 4. 1. *Pars inde.* Every Merchant Alien or other ſtranger ſhall imploy the mony by them received here, upon the merchandize of this Realm, or elſe (without fraud) put the ſame mony in due payment, within this Realm, to be proved by the Merchant unto whom it is ſo imployed, or otherwiſe before the Cuſtomer, Controller, or head Officer or Officers of the place, where it is ſo imployed, in pain to forfeit all his goods found within this Realm, and to ſuffer a years impriſonment; onely his reaſonable coſts are to be deducted.

LVII. The forfeiture to be divided betwixt the King and the Proſecutor.

LVIII. **Stat.** 1 *R.* 3. 9. *Italian* Merchants, ſhall ſell their Merchandize at the Port where they land, in groſs, and not by retail, in pain to forfeit the value thereof.

LIX. They ſhall alſo ſell their commodities brought thither within 8 moneths after their arrival, and ſhall within that time imploy the mony received for the ſame upon *Engliſh* Commodities, (their reaſonable expences deducted) and not make over that mony by Exchange: And if within that time they cannot make off their wares, they ſhall within 2 moneths after the 8 moneths (or as ſoon as they can) convey them out of the Realm, in pain to forfeit the mony ſo made over by exchange, and merchandize ſold after the 8 moneths, and not conveyed away as aforeſaid, or the value thereof.

LX. They may tranſport their Merchandize from one Port to another, ſo as they ſell them within the ſaid 8 moneths.

LXI. No Merchant ſtranger ſhall be Hoſt to another Merchant-ſtranger, unleſs they be of the ſame nation in pain of 40 l.

LXII. No ſuch *Italian*-merchant ſhall buy and ſell any wool or woollen cloth, within this Realm, neither ſhall they make any woollen cloth, or deliver wool to that end, in pain to forfeit the value thereof.

LXIII.

LXIII. **Stat.** 1 *R.* 3. 12. No Merchant-ſtranger ſhall import into this Realm to be ſold, any Girdles, Harneſs wrought for Girdles, Points, Leather-laces, Purſes, Pouches, Pins, Gloves, Knives, Hangers, Tailor's-ſheers, Siſors, Andirons, Cobbards, Tongs, Fireforks, Gridirons, Stock-locks, Keys, Hinges, and Garnets, Spurs, painted-Glaſſes, painted-paper, painted-Forcers, painted-Images, painted-Clothes, beaten Gold or Silver wrought in papers for Painters, Saddles, Saddle-trees, Horſe-harneſs, Boots, Bits, Stirrups, Buckles, Chains, Lattin-nailes with Iron-ſhanks, Turnets, hanging Candleſticks, holy-water Pots, Chafing-diſhes, hanging-Lavers, Curtain-rings, Cards for wool, Roan-cards (except Claſps for Garments) Sheers, Buckles for ſhooes, Spits, Bells, Hawks-bells, Tin and Leaden Spoons, Wire of Latin and Iron, Iron-Candleſticks, Grates, Horns for Lanthorns, or any of the ſaid wares ready made and wrought, in pain to forfeit the ſame or the value thereof, to be divided betwixt the King and the proſecutor.

LXIV. **Stat.** 3 *H.* 7. 8. The Statute of 17 *E.* 4. 1. is confirmed and made perpetual.

LXV. Merchants of *Ireland*, *Jernſey* and *Gernſey* are made liable to the ſame law upon the like pains.

LXVI. Cuſtomers and Controllers ſhall take ſecurity of Merchant ſtrangers to obſerve the ſaid law.

LXVII. **Stat.** 12 *H.* 7. 6. Every *Engliſh*-man being the King's true liegeman, may freely trade at the Marts in *Flanders*, *Holland*, *Zealand*, *Brabant*, and other of the Archduke of *Burgoins* Countrys without any exaction, fines, or other contribution whatſoever to be levied of him by the fellowſhip of Merchants in *London*, or by any other for their uſe, or of any other ſuch fraternity, 10 marks only excepted, and none ſhall in ſuch caſe take or levy upon any perſon any ſuch exaction, more then the ſaid 10 marks, in pain to forfeit 20 l. to the King, and 10 times ſo much as they ſhall take more then the 10 marks aforeſaid to be recovered by Action of debt, &c.

LXVIII. **Stat.** 1 *El.* 11. None ſhall lade or unlade into or out of any Ship or other Veſſel, any goods, wares, or merchandize whatſoever, Fiſh taken by *Engliſh*-men only excepted, and unleſs it be upon a leck or wreck, to be imported or exported, but onely in the day time, *viz.* from the 1 of *March* until the laſt of *September*, betwixt Sun-riſing and Sun-ſet, and from the laſt of *September* to the 1 of *March* between the hours of 7 and 4, and that in ſuch places, as the Queen ſhall (by Commiſſion) before the 1 of *September* next aſſign for that purpoſe, in pain to forfeit the goods, wares, or merchandize otherwiſe laden or unladen or the value thereof.

LXIX.

LXIX. The places ſo to be aſſigned ſhall be at *London*, *Southampton*, *Briſtol*, *Weſtcheſter*, *Newcaſtle*, and in all other places (*Hull* onely excepted) where there is a Cuſtomer, Controller and ſearcher.

LXX. The Owner, Maſter, or other having the charge of any ſhip or other veſſel, which doth offend againſt this Law, ſhall forfeit 5 l.

LXXI. The Maſter or other having charge of the Veſſel, ſhall acquaint the Cuſtomer, or other officer with the times of his lading and departure, as alſo what perſons are to have lading with him, and ſhall anſwer ſuch queſtions concerning his loading as ſhall be demanded him by ſuch Officer, upon oath, or otherwiſe; and all this in pain of an 100 l. the like ſhall be obſerved when he imports any merchandize, *vice verſâ*, and upon the like pain.

LXXII. None ſhall enter any goods in the Cuſtomer's books but in the right owners name, in pain to forfeit the value thereof.

LXXIII. If any Officer of the Cuſtom-houſe conceal any offence committed againſt this Act, and diſcloſe it not within a moneth unto the chief Officer there, or unto the Lord Treaſurer, Chancellor, under-Treaſurer, or one of the Barons of the Exchequer, or unto the Attorney-general he ſhall forfeit 100 l.

LXXIV. Cuſtomers, Controllers and Searchers have power to make Deputies in Ports, Creeks and Roads, and both they and their Deputies ſhall duly and faithfully execute their offices, in pain of a 100 l. and to loſe their places.

LXXV. Such cuſtom ſhall be paid for ſweet Wines, as hath formerly been paid for Malmſeys.

LXXVI. This Act ſhall not infringe the liberties granted to the Iſle of *Angleſey*, and the Counties of *Flint* and *Carnarvan*, ſo as they pay the due Cuſtoms, and Subſidies, and lade and diſcharge within the times and hours above mentioned.

LXXVII. **Stat.** 43 *El.* 12. The Lord Chancellor, or Keeper ſhall award a ſtanding Commiſſion (to be renewed yearly, or as often as to him ſhall ſeem meet) for the hearing and determining of all ſuch cauſes ariſing, and policies of aſſurances, as ſhall be entred in the office of Aſſurance in *London*.

LXXVIII. This Commiſſion ſhall be directed to the Judge of the Admiralty, the Recorder of *London*, two Doctors of the Civil Law, 2 common Lawyers, and 8 grave and diſcreet Merchants, or to any 5 of them, which Commiſſioners, or the greater part of them ſhall have power to hear, and examine, order and decree all ſuch cauſes in a brief and ſummary courſe, as to their diſcretion ſhall ſeem meet without formality of pleadings or proceedings.

LXXIX.

LXXIX. The Commiſſioners have alſo power to ſummon the parties, examine witneſſes upon oath, and commit to priſon ſuch as contemn or diſobey their orders or decrees: they ſhall meet and ſit once a week at leaſt in the office of Aſſurances, or ſome other convenient publick place, for the execution of the ſaid Commiſſion: And no fees at all ſhall be there exacted by any perſon whatſoever.

LXXX. If any be grieved by their ſentence or decree, he may exhibit his bill in Chancery for the re-examination thereof, ſo as he firſt ſatisfie the ſentence ſo awarded, or depoſit with the Commiſſioners the ſumm awarded, and then (albeit he be impriſoned) he may be inlarged; and here the Lord Chancellor (or Keeper) hath power to reverſe or affirm every ſuch ſentence or decree, and in caſe it be affirmed, to award the party aſſured double coſt.

LXXXI. No Commiſſioner ſhall meddle in the execution of this Commiſſion in any cauſe, wherein himſelf is party *Aſſurer* or *Aſſured*, not until he hath taken his corporal oath before the Mayor and Court of Aldermen, to proceed uprightly and indifferently between party and party, onely the Judg of the Admiralty and Recorder are excuſed from ſuch oath.

LXXXII. **Stat.** 3 *Jac.* 6. All the Kings ſubjects ſhall have free trade into and from, *Spain*, *Portugal* and *France*, notwithſtanding the late grant of an Incorporation to prohibit the ſame, or any other Act or thing whatſoever to the contrary.

LXXXIII. Provided that this Act ſhall not give liberty for any perſon to go beyond Sea, who by Law is reſtrained from going without licence.

LXXXIV. **Stat.** 3 *Jac.* 9. No merchant or other ſhall dreſs or cauſe to be dreſſed in his houſe, or by any workman (being no Skinner) appointed by him for that purpoſe, any black Cony-ſkins of this Realm, nor tranſport any ſuch or pack them to be tranſported, before they be tawed, and duly wrought by ſuch as are Artizan Skinners, or Tawers under them, in pain to forfeit them or the value thereof.

LXXXV. No Merchant ſhall buy or contract for any Cony-ſkins or Lambs-ſkins under the number of 1000 black Cony-ſkins, 3000 grey Cony-ſkins, and 2000 Lambs-ſkins at one and the ſame time, to be ſo bought, and delivered intirely together and not by parcels, except they be bought of the Artizan-ſkinners: neither ſhall the Merchant ſell them again in leſs parcels then as aforeſaid (unleſs to the ſaid Artizan-ſkinners) in pain to forfeit the ſame, or the value thereof.

LXXXVI. None ſhall retain any Servant, Journey-man or Apprentice to work in the trade of a Skinner, unleſs he himſelf hath ſerved 7 years as an Apprentice in the ſame trade, in pain to forfeit the double value of his ware ſo wrought.

LXXXVII. The forfeitures aforeſaid are to be divided betwixt the King and the ſeiſor or proſecutor.

LXXXVIII. Stat. 4 *Jac.* 9. The general Statute of 3 *Jac.* 6. neither doth nor ſhall diſſolve or impeach the Charter of Incorporation granted by Queen *El.* to certain Merchants of *Exeter* and their ſucceſſors.

LXXXIX. Stat. 14 *Car.* 2. *ca.* 23. Upon ſome defects in the Statute 43 *Eliz. ca.* 12. recited. It is enacted, That the Lord Chancellor or Keeper of the Great-Seal ſhall yearly iſſue out one ſtanding Commiſſion, authoriſing Commiſſioners or any 3 of them, whereof a Doctor of the Civil-Law, or a Barriſter at Common-law, of 5 years ſtanding to be always one, to make a Court of Policies of Aſſurance, and act as any 5 before might have done.

XC. The ſaid Commiſſioners or any 3 of them impowred to ſummon parties and witneſſes, and upon Contempts or delay in the witneſſes upon firſt ſummons and tender of reaſonable charges: and in the parties upon ſecond ſummons, to impriſon offendors, or give coſts: every Commiſſioner having taken the oath before the Lord Mayor of *London* to proceed uprightly in execution of the ſaid Commiſſion.

XCI. Commiſſions may iſſue out of the Court of Admiralty for examining witneſſes beyond Sea or in remote place, by direction of the ſaid Commiſſioners or any 3 of them: And decrees may be made againſt the body and goods, and againſt the Executors, &c. and execution accordingly, and aſſeſs coſts of ſuit as to them ſhall ſeem juſt.

XCII. Any of the Commiſſioners may adminiſter an oath to any witneſs legally ſummoned, ſo as the adverſe party have timely notice, to the end witneſſes be truly examined.

XCIII. Provided, Execution in no caſe be againſt body and goods for the ſame debt.

XCIV. Provided, An Appeal may be to the Chancery, as in the ſaid former Act.

Marſhalſey.

Marſhalſey.

I. Artic. ſuper Cart. 3.28.E.1. The Stewards and Marſhals of the Kings houſe ſhall not hold plea of freehold, debt, covenant, or contract, but only treſpaſs done in the houſe or Verge, or of contracts and covenants when both parties are of the houſe: and the plea of treſpaſs ſhall be determined before the Kings departure from the Verge, where the treſpaſs was committed, and therefore the plea thereof ſhall be ſpeedy, *de die in diem*, and if the plea cannot be determined in time, the Plaintiff ſhall (in ſuch caſe) have recourſe to the Common Law.

II. The Steward ſhall from henceforth take no conuſance of debt or other things, but of the people of the ſame houſe, nor ſhall hold plea by obligation made at the diſtreſs of the ſaid Stewards or Marſhals: And if any thing be done contrary to this Act, it ſhall be holden void.

III. In caſe of death within the Verge where the Coroner is to make view, the Coroner of the County together with the Kings Coroner ſhall do his office, and inrol it: And what cannot be determined by the Steward before the Kings departure, ſhall be remitted to the Common Law; ſo that Exigents, Outlawries, and Preſentments ſhall be made thereupon in Eyre by the Coroner of the County, as in caſe of other Felonies done out of the Verge: Howbeit they ſhall not omit by reaſon hereof to make attachments freſhly upon the Felonies done.

IV. Stat. 5.E.3.2.*Pars inde.* and 10.E.3.*Stat.* 2.2. Inqueſts before the Steward and Marſhal of the Kings houſe ſhall be taken by men of the Countrey thereabouts, and not by men of the Kings houſe, except it be contracts, covenants, or treſpaſſes, when both parties are of the ſame houſe, and in the houſe.

V. Stat. 9.R.2.5. Prieſts and others of the Holy Church, taken in the Marſhalſey, ſhall pay ſuch fees as Lay-people pay and no more.

VI. Stat. 13.R.2.*Stat.*1.3. The juriſdiction of the Steward and Marſhal of the Kings houſe ſhall extend no further then 12 miles from the Kings lodging.

VII. Stat. 4.H.2.25. The fees of the Marſhal of the Kings houſe ſhall be as in times paſt, and no more, *viz.* for him that cometh in by *Capias*, 4 *d.* and if he be bailed, 2 *d.* more: of the defendant in treſpaſs that findeth bail to anſwer the ſuit 2 *d.* for every commitment by judgment, 4 *d.* of every one delivered of Felony, and of a Felon bailed by the Court, 4 *d.* And if the Marſhal or his

Officers take more, they shall lose their Offices, and pay treble damages to the party grieved, and that the party grieved have his suit before the Steward of the same Court.

VIII. Here a server of bills shall take no more then 1 *d.* for every mile distant from the Court to the place where he doth his office; but when he serves a *venire facias* or a *distringas*, he shall have the double. If such an Officer takes more, he shall be imprisoned, make a Fine to the King at the discretion of the Steward, and be from thenceforth fore-judged the Court.

IX. **Stat.** 15. *H.* 6. 1. In a suit commenced before the Steward and Marshal of the Kings house, the defendant shall not be estopped to plead, that the Plaintiff or he are not of the Kings house; but his averment thereof shall be received, notwithstanding any record of the same Court to be produced to the contrary.

Marshes, Fens, &c.

I. **Stat.** 4. *Jac.* 8. An Act for winning from Inundation the drowned grounds and Marshes of *Iesnes* and *Fants* in *Kent*, by the 20. of *October*, 1609. *See the Statute.*

II. **Stat.** 4. *Jac.* 13. Another for draining the Fens and low grounds in the Isle of *Ely*, containing about 6000. Acres, compassed about with banks called the Ring of *Waldersey* and *Coldham*: *See also the Statute.*

III. **Stat.** 7. *Jac.* 20. A mean to recover a great quantity of ground, lately surrounded in *Norfolk* and *Suffolk* by the Sea, and to prevent the like for the future: *See the Statute.*

IV. **Stat.** 15. *Car.* 2. *cap.* 17. An Act for setling the draining the great level of the Fens, called, Bedford Level. *See the Act at large.*

V. **Stat.** 16. & 17. *Car.* 2. *cap.* 11. An Act for draining of the Fen called, Deeping Fen, and other Fens therein mentioned. *See the Act at large.*

Masons.

I. **Stat.** 3. *H.* 6. 1. It shall be felony to plot confederacies amongst Masons; and such as assemble upon such confederacies shall suffer Imprisonment, and make fine and ransome at the Kings will.

☞ Matrimony and Marriage.

I. **Stat.** 32. *H.* 8. 38. *Pars inde.* All Marriages shall be adjudged lawful, that are not prohibited by Gods Law.

II. Stat. 23. E. 6. 21. All Laws, Canons, Constitutions, and Ordinances which prohibit marriage to spiritual persons, who by Gods Law may marry, and all pain and forfeitures therein contained shall be void.

III. Provided, that this Act shall not give liberty to marry without asking in the Church, and other Ceremonies appointed by the Book of Common Prayer.

IV. Degrees and divorces heretofore made are saved.

V. Stat. 5. E. 6. 12. The Marriage of Priests and other spiritual persons shall be lawful, and their Children legitimate and inheritable, likewise they to be tenants by the Curtesy, and their Wives dowable.

VI. Stat. 1. *Jac.* 11. A *Bigamus* shall suffer death as a felon, unless he or she have had no notice, that the husband or wife was living within seven years before, or the marriage be severed by divorce.

VII. This felony shall cause no corruption of blood, or loss of dower or inheritance.

VIII. Stat. 12. *Car.* 2. *ca.* 33. All Marriages had and solemnized in any of the Kings Dominions since the 1. of *May*, 1642. before any Justice of Peace of *England*, or other his Dominions, and so pronounced and declared, or had and solemnized, according to Act, or Ordinance of Parliament, or any Convention having that style; shall be adjudged good and valid in Law, as if the same had been solemnized according to the Rites and Ceremonies of the Church of *England*.

Mesne.

I. Stat. *Westm.* 2. 9. 13. E. 1. The tenant distrained by the Chief Lord, may have a writ of *Mesne* in the County, where he is distrained, against the *Mesne*, who having land in that County, and not appearing till the *Grand* distress, day shall be given in the *Grand* distress, so as two Counties may be holden before the return, wherein the Sheriff shall proclaim, that he come to answer the tenant at the day, at which day, if he come not, he loseth his service, and then the tenant shall answer to the Chief Lord such services as he ought to have done to the Mesne.

II. The Chief Lord shall not distrein the tenant, so long as he offers him the services due; and if the Lord exact more then the Mesne ought to do, the tenant may have such remedy, as the Mesne might have had.

III. Upon a return, that the Mesne hath nothing to be summon-

ed by, an attachment shall go out, and then upon a *Nihil* returned, the *Grand* distress with Proclamation as before.

IV. The Mesne having no land in that County, but in another, upon such a return by the Sheriff, the party shall have a Writ judicial to summon the Mesne in that County, where it is testified, that he hath lands, and both there and in the other County shall proceed to the *Grand* distress, Proclamation, and Judgment, as before.

V. The Mesne comming into the Court, and acknowledging, or being adjudged to acquit the Tenant, and not doing it, the Tenant shall thereupon have a judicial writ of acquittal: whereupon if the Mesne come in, and the Tenant can aver that a Mesne hath not acquitted him, he shall be satisfied his damages, be quit of the Mesne and hold of the chief Lord: And here also, if the Mesne come not at the first distress, then another distress shall go out, Proclamation shall be made, and Judgment had as before.

VI. This Statute extendeth only, where there is but one Mesne between the Lord that distraineth, and the tenant, the Mesne also being of full age, and the Tenant, Tenant in fee-simple.

Militia: *See* Captains *and* Souldiers, Numb. XXXIX.

Ministers.

I. **Stat.** 12. *Car.* 2. *cap.* 17. An Act for confirming some, and restoring other Ministers to their Benefices.

Monasteries, Abbeys, Priories, Colledges, Free-Chappels, Hospitals, Chanteries, their Governours, and Possessions, and also all other Religious persons.

I. **Warb.** 28. 52. *H.* 3. If wrongs or trespasses be done to Abbots or other Prelates of the Church, and they dye before Judgment given thereof, whether or no the suit be commenced in their life-time, yet their successors shall have actions to demand the goods of their Church out of the hands of such trespassers.

II. The successors shall also have a writ to recover seisin of their lands intruded into in time of vacation, and therein damages shall be awarded them as in Assizes of *Novel disseisin* is used.

III.

III. Mest. 1. 1. 3. *E.* 1. The Peace of the Church and Realm shall be duly kept; and Religious houses shall not entertain any at the charge of the house, save only the Founders, &c. neither shall any charge them, in pain of imprisonment to make fine and to be otherwise punished at the Kings will.

IV. No purveyance shall be made of a Prelate, without his consent.

V. The Sheriff shall not ride with above 5 or 6 horse, nor indamage Religious persons by lodging too often at their houses or Mannors.

VI. Artic. Cleri. 11. 9. E. 2. Religious houses shal not be charged by compulsion with Corodies, Pensions, resort, or taking of their Horses or Carts, upon the pains ordained by the Statute of *Mag.* 2.

VII. Stat. 1. *E.* 3. *Stat.* 2. 10. There shall be no more grants of Pensions, Prebends, Churches, or Corodies (at the Kings request) by Bishops, Abbots, Priors, Abbesses, or Prioresses.

VIII. Stat. 27. *H.* 8. 28. All Monasteries, Priories, and other Religious Houses of Monks, Canons and Nuns, which have not above the clear yearly value of 200 *l. per annum*, are given to the King and his heirs, to have and hold the same in as large and ample manner as they injoyed them: And all grants thereof made or to be made by the King to others are confirmed: The right of others (having any profit out of the same) being saved.

IX. Fraudulent Conveyances made by Governours of such houses within one year next before the making of this Act shall be void; Howbeit all Leases upon the accustomed rents, and grants of accustomed Offices, Fees, or Corodies are saved.

X. All Ornaments, Jewels, Goods, and Debts, which they had the first of *March* 1535, or at any time since, are also given to the King.

XI. The King shall have the actual and real possession of the said houses without inquisition of office, so that he may lawfully grant them at his will and pleasure.

XII. Cels which are only obediencers to the Abbies and Priories dissolved by this Act, shall still remain undissolved notwithstanding this Act: The right also of Founders, Patrons and Donors is saved.

XIII. Stat. 27 *H.* 8. 27. *Pars inde.* Upon the grant of Abbey Lands in fee, a tenure in *Capite* shall be reserved to the King, and also a yearly payment of the tenth part of the yearly value, mentioned in the Letters Patents.

XIV. Stat. 31 H. 8. 13. The King and his heirs shall have all the Monasteries, Abbies, Priories, Nunneries, Colledges, Hospitals, houses of Friers, and other religious houses and places, together with their estates, which since the 4. of *Feb.* 27 H. 8. have been dissolved, suppressed, renounced, relinquished, forfeited, given up, or by any other means are come into the Kings hands, in as large and ample manner, as the Governors thereof held them, in right of the said houses.

XV. All Religious houses dissolved and to be dissolved together with the revenues to them belonging, shall be in the actual possession of the King.

XVI. These Abbey lands (except such of them as shall come to the King by attainder of Treason) shall be within the survey of the Court of Augmentations.

XVII. Here, the right of all others is saved, save only for Rents-service, Rents-seck, and all other services and suits, which are excepted out of the said saving.

XVIII. Provided that all Leases of any such Religious or Ecclesiastical house, or of any hereditaments thereunto belonging, granted within one year next before the dissolution thereof, which hath not heretofore been usually demised, or whereof there was a former Lease in being, or whereupon such ancient yearly rent is not reserved, as hath been usually paid for the same twenty years next before the beginning of this Parliament, and also wood-sales made within one year, as aforesaid, shall be void.

XIX. Also all Feofments, Fines, and Recoveries of such Lands (whereof the King was Founder) made, acknowledged or suffered by the Governours or Governesses thereof, without the Kings Licence within one year next before such dissolution, shall be void.

XX. The like provision is made for making void Leases and Wood-sales of Lands belonging to such Religious or Ecclesiastical houses, as are hereafter to be dissolved: Also all Feofments, fines, and Recoveries of such lands (where the King is Founder) made, acknowledged or suffered by the Governours or Governesses thereof shall likewise be void.

XXI. Leases for years not exceeding 21, made a year before this Parliament, or the dissolution of such house, and whereupon the accustomed rent is reserved, and where a former term therein is not expired at the making of such Lease, shall be good, notwithstanding this Act: so also is a Lease for life or lives granted a year before dissolution of the old tenant, or the former lease for life or years being not expired, and the accustomed rent being reserved.

Grant

XXII. Grants also for life by Copy of Court-Roll, according to the custom, where the old rent is reserved shall be good.

XXIII. Leases examined, inrolled, decreed, or affirmed in the Court of Augmentations (albeit they be made within the year) shall be good.

XXIV. Where any hath paid money for wood, and by this Act is abridged from having his bargain, he shall be relieved therein by the Chancellor and other Officers of the said Court, or any three of them, whereof the Chancellor is to be one, and if any other hath taken the Wood, he shall make satisfaction for the same to the party grieved.

XXV. Grants to other persons by such Religious persons with the Kings consent and licence under the great Seal, shall be good: Howbeit here, the right of others is saved.

XXVI. A confirmation of the Kings exchanges and purchases since the fourth of *February* 27 *H.* 8. Howbeit, here also the right of all persons but the exchangees and bargainees is saved, rents-service, rents-seek, and other services excepted.

XXVII. The Kings Letters Patents of Lands, or other hereditaments granted since the fourth of *February*, 27 *H.* 8. and within three years after the making of this Act, shall be sufficient, notwithstanding mis-recital, non-recital, mis-nosmer, cause, consideration, or thing material to the contrary: Here also the right of all others (save of the King, and the Governours, and Governesses) is saved.

XXVIII. Such Lands, Parsonages appropriate, *&c.* belonging to the said Religious houses, as before their coming into the Kings hands, or dissolution, were discharged of Tithes, shall so continue.

XXIX. All rents, services, and other duties are saved to the King, notwithstanding this Act.

XXX. Such Monasteries, *&c.* As were heretofore exempt from the jurisdiction of the Ordinary, shall from henceforth be within the jurisdiction and visitation of the Ordinaries, in whose Dioces they shall be scituate.

XXXI. The grant of the Abbey of *Sipton* in *Suffolk* is confirmed to the Duke of *Norfolk*, and the Colledge or Chantery of *Cobham* in *Kent* to the Lord *Cobham*, notwithstanding this Act: The right of others being saved.

XXXII. Stat. 37 *H.* 8. 4. All Colledges, Free-Chappels, Chanteries, Hospitals, Fraternities, Brother-hoods, Guilds, and other promotions, made to have continuance for ever, and chargeable with a

firſt-fruits and tenths, and alſo all the Manſion-houſes, manners, lands, tenements, hereditaments, rights, members and appurtenances unto them belonging; which between the fourth of *February* 27 *H.* 8. and the 25 of *December*, the 37 *H.* 8. were diſſolved, relinquiſhed, or otherwiſe extinct (other then ſuch of them as now are or were in the Kings poſſeſſion, and have been granted by the Kings Licence, or recovered by a former right or title) ſhall be adjudged in the actual poſſeſſion of the King, and of his heirs and ſucceſſors, in as large manner, as the Governours, Incumbents, Patrons, Donors, or Founders of them, or any of them have ſince the ſaid fourth of *February*, 27 *H.* 8. injoyed the ſame, or do now injoy them.

XXXIII. All Covenants, Bonds, and Grants of any Rent or Annuity made to any Chantery Prieſt, or other, having any of the ſaid promotions, in conſideration of any bargain, grant, or other aſſurance of the ſaid promotions, or any part thereof ſhall be void.

XXXIV. Every perſon, being in life, which for any ſum of money hath ſold any of the ſaid promotions, ſhall repay (upon requeſt) unto the Bargainee, his Executors or Aſſigns, the money ſo received: And for non-payment thereof, the ſaid Bargainee ſhall maintain an Action of debt againſt them, that ſo ſold the ſame unto the ſaid Bargainee or his teſtator, in which Action no eſſoine, *&c.* ſhall be allowed.

XXXV. All gifts, grants, ſurrenders, and other aſſurances made to the King of any of the ſaid promotions between the ſaid fourth of *February* and the 25 of *December*, ſhall be good againſt the bargainors, their ſucceſſors and aſſigns, and alſo againſt their Founders, Donors, and Patrons heirs and ſucceſſors.

XXXVI. All Letters Patents made by the King of any of the ſaid promotions or any part thereof, and all aſſurances thereof made with the Kings aſſent by any having ſuch promotions ſhall be good, againſt the grantors, their heirs and ſucceſſors, and againſt their Founders, Donors, and Patrons, their heirs and ſucceſſors.

XXXVII. The King during his life, may direct Commiſſions (by warrant to be ſigned by his own hand) to ſuch perſons as he ſhall think fit, giving them power to enter into ſo many of the ſaid promotions, chargeable with firſt-fruits and tenths, as ſhall be expreſſed in ſuch ſeveral Commiſſions, and to ſeize and take the ſame into the Kings poſſeſſion, to have and hold the ſame to him, his heirs and ſucceſſors.

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XXXVIII. The Commiſſioners (or any two of them) may enquire into any part in the name of the whole, and by ſuch their ſeer and ſeiſure, albeit the Lands be in ſeveral mens occupations, or lie in ſeveral Counties, the King ſhall be adjudged in the actual poſſeſſion thereof, without any inquiſition, office, or other entry.

XXXIX. The Commiſſioners, or any two of them, after ſuch ſeiſure made, ſhall certifie and return every ſuch Commiſſion making mention in writing of their doing therein, according to the words and authority thereby given them.

XL. All ſuch Chanteries and other promotions aforeſaid (ſeiſed and to be ſeiſed, as aforeſain) ſhall be within the order and ſurvey of the Court of Augmentations; and all ſuits tending to the detriment of the Mannors, lands, and other hereditaments belonging to them, ſhall be alſo heard and determined in that Court; Howbeit, ſuits between party and party concerning the ſaid Mannors, Lands, &c. ſhall be heard and determined by the Common Law and Statutes of this Realm, and not in the ſaid Court.

XLI. All Aſſurances made of any Inheritance or Free-hold (without the Kings aſſent) by any Chantery Prieſt, or other Governour having any of the ſaid promotions (being not made to the King) ſhall be void, as well againſt the King, as againſt the ſucceſſor of ſuch Chantery Prieſt, or other Governour.

XLII. The right of others is ſaved, other then the Governors and their Founders, Patrons, or Donors, their heirs, and ſucceſſors, and other then ſuch perſons, their heirs, ſucceſſors and aſſigns, as claim any free-hold or inheritance by conveyance from any ſuch Governor, without the Kings aſſent thereunto.

XLIII. If any ſuch Governour within one year before the 23. of *Novemb.* in the 27 *H.* 8. hath made, or ſhall hereafter make any leaſe for life or years, of any ſuch promotion, or any part thereof, which was not for the moſt part of twenty years before ſuch leaſe let to farm, but in their own occupation: Or within the ſaid time hath made, or ſhall hereafter make, any ſuch leaſe in reverſion, the old leaſe not being then expired: Or within the ſaid time hath made, or ſhall hereafter make, any ſuch leaſe, without reſerving the accuſtomed yearly rent paid for the ſame twenty years next before the ſaid 23. of *November*: Or have made any Wood ſale, the Woods being yet ſtanding, that then every ſuch leaſe and grant ſhall be void.

XLIV. This Act ſhall not extend to any Lands or other Hereditaments, whereof ſuch Governors now are, or hereafter ſhall be, ſeiſed or poſſeſſed to their own uſe, nor united nor annexed to their

promotions; nor to Lands or Pensions granted or to be granted by the King unto such Governors (for life only) under the Great Seal or the Seal of the Augmentations.

XLV. The Governors, from whom the King (by force of this Act) taketh any Lands, &c. shall be proportionably abated for the same, in their Tenths and First-fruits.

XLVI. Every person having any Annuity, or rent issuing out of any such promotion, shall still enjoy them notwithstanding this Act: Also he that hath bought and paid for any wood, shall have his money again, or the same wood.

XLVII. All payments for the First-fruits, hapning after such seisure, as aforesaid, are discharged.

XLVIII. All Rents, Services, Issues, and Profits payable out of such promotions into the Exchequer, shall be still continued, notwithstanding this Act.

XLIX. Stat. 1 *E.* 6. 14. All Colledges, Free Chappels, and Chanteries *in esse*, within five years before the first day of this Parliament which were not in the actual and real possession of the late King, nor of *E.* 6. nor excepted in the said Statute of 37 *H.* 8. 4. (other then such as by the Kings Commission shall be altered) and all Mannors, Lands, Pensions, Hereditaments, and things belonging to them, and all Mannors, Lands, &c. given or limited for the finding of a Priest, to have continuance for ever, and wherewith a Priest hath been maintained within the said five years (which were not in the actual possession of H. 8. or E. 6.) and all rents, profits and emoluments within the said five years imployed towards or for the maintenance of a stipendiary Priest, intended by any Act or Writing to have continuance for ever, shall be adjudged, and be in the actual and real possession of the King, his heirs and successors, without any office or other inquisition, in as large manner as such Priests or other Governors, or Incumbents thereof at any time within the said five years injoyed the same.

L. All Mannors, Lands, &c. appointed for the maintenance of such Priests, to have continuance for a term of years not yet expired, are also given to the King during such term only, and no longer, and then it shall be lawful for the Reversioner to enter without livery, *Ouster le main*, petition, or other suit to be made to the King for the same.

LI. The King shall also have all Lands, Tenements, rents, and other Hereditaments given for the maintenance of an Anniversary or Obit, or other like intent, or of any light or lamp in any Church or Chappel, to have continuance for ever, which hath been so maintained within five years above limited.

LII. Where

LII. Where an Anniverſary, Obit, Light, Lamp, or the like, is kept or maintained out of part of the iſſues of any lands, &c. the King ſhall have ſo much yearly rent iſſuing out of the ſame lands as ſuch charge did amount unto in any one year within the ſaid 3. years, to be paid yearly by even portions at *Michaelmas* and *Lady* day into the Court of Augmentations, or ſuch other Court as the King ſhall appoint; and upon non-payment thereof, it ſhall be lawful for the King, his heirs and ſucceſſors, to diſtrain for the ſame. And if there be no diſtreſs to be had; and the rent be unpaid by the ſpace of a month after it ſhould be paid, in ſuch caſe the King ſhall ſeize part of the Lands (of like value) to anſwer the rent, to have and hold them to him, his heirs and aſſigns, or for ſo long time, as he ſo was to have the iſſues out of the ſaid Lands.

LIII. The King, his heirs and ſucceſſors ſhall have all ſums of money, profits, commodities, and emoluments, appointed to have continuance for ever, which in any one year within the ſaid years have been imployed by any Corporation, Guild, Fraternity, Company, or Fellowſhip of any Myſtery or Craft, or by any Governour or Governours towards the maintenance of any Prieſt, Anniverſary, Obit, Lamp, Light or the like, to be paid yearly as a rent charge at *Michaelmas* and *Lady day*, by even portions in the ſaid Court of Augmentations, or in any other Court that the King ſhall appoint.

LIV. The King hath power to diſtrain the ſaid Corporations, Guilds, &c. for the ſaid money, which ſhall be in the actual poſſeſſion of the King, without any inquiſition or office.

LV. The King ſhall have to him, his heirs and ſucceſſors, all Fraternities, Brotherhoods, and Guilds, and all their Lands, &c. (other then thoſe above mentioned) and they ſhall be alſo in the actual poſſeſſion of the King, without any inquiſition or office.

LVI. The King may direct Commiſſions to ſuch perſons as he ſhall think fit, which Commiſſioners, or any two of them ſhall have power to ſurvey all Lay-Corporations, Guilds, Fraternities, Companies, and Fellowſhips of Myſteries, or Crafts incorporate, and all other Fraternities, Brotherhoods and Guilds within the limits of their Commiſſion; and alſo all Evidences, Compoſitions, Books of Accompts, and other writings, thereby the better to diſcover what money, or other things was paid for the finding of a Prieſt, Anniverſary, &c. And likewiſe to inquire, what Mannors, Lands, Tenements, Rents, and other hereditaments are given to the King by force of this Act.

LVII. The Commiſſioners, or any two of them, have power

(where

(where Guilds, Fraternities, or Chantery Priests having been *in esse* from *Michaelmas* last to the first day of this Parliament, ought by their foundation to have kept a Grammar-School or Preacher) to assign Lands to continue in succession to a School-master or Preacher for ever towards the keeping of a School and preaching, and for such other good purposes, as to them shall seem meet: And likewise to make a Vicar to have perpetuity for ever in every Parish, being the first day of this Parliament a Colledge, Free chappel or Chantery, or united unto any of them: And also to indow such Vicar sufficiently without any licence or grant from the King, Bishop, or other Officers of the Dioceſs.

LVIII. These also have power (in great Towns, where more Priests are necessary) to assign such Lands for the maintenance of one or more Priests there, as they shall think fit: And also to give Rules for the service, use and Demeaner of such Priests and Schoolmasters, as aforesaid, and to set down by what name or names they shall from thenceforth be called.

LIX. The Commissioners shall also assign such yearly pensions to every Governour, Fellow, and servant of every such Colledge, Free-Chappel, or Chantery, to continue during their several lives, as to them shall seem fit.

LX. The Commissioners shall inquire what money or other profit any poor person injoyed within 5 years before this Parliament, and to give order for the payment thereof, and to assign Lands for that purpose, that it may have continuance for ever: And also to appoint lands to Fraternities, Brotherhoods, and Guilds for the Maintenance of Peirs, Jutties, Walls, and Banks.

LXI. The Receivers of the respective Counties, where such Pensions are allowed by the Commissioners, shall readily pay them without fee, and shall be allowed his upon their accompt.

LXII. The Commissioners shall make oath, that they shall beneficially execute their Commissions towards the Deans, Masters, Wardens, Provosts, and other Incumbents aforesaid, as also towards the poor, and the maintenance of Peirs, Jutties, &c. And all orders by them, or any two of them, certified into the Court for Augmentations or other Court to be assigned by the King, shall be as effectual, as if they had been ordained by Parliament.

LXIII. Howbeit they shall not allow more to any Dean, Master, &c. then they injoyed before; and when he is promoted to better means, it shall cease.

LXIV. The Commissioners, or two of them at least, shall within

within one year after the Commission to them directed, make certificate of such assignments, as they have made, in pain of 100 pounds.

LXV. The King shall have all the goods of every Colledge, Chantery, Free-Chappel, Chantery or Stipendary Priest, belonging to the furniture or services of their several Foundations, and superstitiously abused: Howbeit their debts shall be paid by the King.

LXVI. This Act shall not extend to any Colledge or Hall in the Universities, the Free-Chappel at *Windsor*, the Colledges of *Winchester* and *Eaton*, *Nwton* Chappel in the Isle of *Ely*, nor to any of the lands belonging to them; nor to any Chappel of Ease, nor to any Chappel, whereunto only a Church-yard, a little house or Clote doth belong; Nor to any Cathedral, where there is a Bishops See, nor to their lands, other then such Chanteries, Obits, Lights, and Lamps, used within such Cathedrals within five years before this Paliament, and unto which this Act doth extend.

LXVII. The King may (during his life) alter the Names of such Chanteries and their Foundations.

LXVIII. The right of all persons (except only the Governors, Incumbents, &c. of such Chanteries, &c. their Founders, and the heirs and successors of every of them, also the grantees or any of the premises to the uses aforesaid, or to the use of any such Chantery, &c. or without the Kings licence) is saved; likewise all services, rents, annuities, profits, and offices, of right due to Founders, Donors, &c. and leases made before the beginning of this Parliament whereupon the accustomed rent is reserved, are saved.

LXIX. The Bargainor of any of the premises or his Executors shall repay unto the Bargainee, his Executors or Administrators the money received upon sale thereof, within three months after request thereof made, and upon non-payment thereof such bargainee shall recover it by action of debt, wherein no essoin, &c. shall be allowed.

LXX. The premises given to the King by this Act together with their revenues shall be within the survey of the Court of Augmentations, or such other Court as the King shall appoint.

LXXI. All leases made by the said Governors, Incumbent, &c. since the 23 of *November* 37. *H.* 8. whereupon the old rents are reserved, shall be void; but all others shall continue in force.

LXXII. This Act shall not extend to any Lands, whereof such Governours, Incumbents, &c. are seised or possessed to their own uses, and not annexed to such Chanteries, Free-chappels, &c. nor

to

(where Guilds, Fraternities, or Chantery Prieſts having been *in eſſe* from *Michaelmas* laſt to the firſt day of this Parliament, ought by their foundation to have kept a Grammar-School or Preacher) to aſſign Lands to continue in ſucceſſion to a School-maſter or Preacher for ever towards the keeping of a School and preaching, and for ſuch other good purpoſes, as to them ſhall ſeem meet: And likewiſe to make a Vicar to have perpetuity for ever in every Pariſh, being the firſt day of this Parliament a Colledge, Free chappel or Chantery, or united unto any of them: And alſo to indow ſuch Vicar ſufficiently without any licence or grant from the King, Biſhop, or other Officers of the Dioceſs.

LVIII. Theſe alſo have power (in great Towns, where more Prieſts are neceſſary) to aſſign ſuch Lands for the maintenance of one or more Prieſts there, as they ſhall think fit: And alſo to give Rules for the ſervice, uſe and Demeaner of ſuch Prieſts and Schoolmaſters, as aforeſaid, and to ſet down by what name or names they ſhall from thenceforth be called.

LIX. The Commiſſioners ſhall alſo aſſign ſuch yearly penſions to every Governour, Fellow, and ſervant of every ſuch Colledge, Free-Chappel, or Chantery, to continue during their ſeveral lives, as to them ſhall ſeem fit.

LX. The Commiſſioners ſhall inquire what money or other profit any poor perſon injoyed within 5 years before this Parliament, and to give order for the payment thereof, and to aſſign Lands for that purpoſe, that it may have continuance for ever: And alſo to appoint lands to Fraternities, Brotherhoods, and Guilds for the Maintenance of Peirs, Jutties, Walls, and Banks.

LXI. The Receivers of the reſpective Counties, where ſuch Penſions are allowed by the Commiſſioners, ſhall readily pay them without fee, and ſhall be allowed his upon their accompt.

LXII. The Commiſſioners ſhall make oath, that they ſhall beneficially execute their Commiſſions towards the Deans, Maſters, Wardens, Provoſts, and other Incumbents aforeſaid, as alſo towards the poor, and the maintenance of Peirs, Jutties, &c. And all orders by them, or any two of them, certified into the Court for Augmentations or other Court to be aſſigned by the King, ſhall be as effectual, as if they had been ordained by Parliament.

LXIII. Howbeit they ſhall not allow more to any Dean, Maſter, &c. then they injoyed before; and when he is promoted to better means, it ſhall ceaſe.

LXIV. The Commiſſioners, or two of them at leaſt, ſhall within

within one year after the Commiſſion to them directed, make certificate of ſuch aſſignments, as they have made, in pain of 100 pounds.

LXV. The King ſhall have all the goods of every Colledge, Chantery, Free-Chappel, Chantery or Stipendary Prieſt, belonging to the furniture or ſervices of their ſeveral Foundations, and ſuperſtitiouſly abuſed: Howbeit their debts ſhall be paid by the King.

LXVI. This Act ſhall not extend to any Colledge or Hall in the Univerſities, the Free-Chappel at *Windſor*, the Colledges of *Wincheſter* and *Eaton*, *New ton* Chappel in the Iſle of *Ely*, nor to any of the lands belonging to them; nor to any Chappel of Eaſe, nor to any Chappel, whereunto only a Church-yard, a little houſe or Cloſe doth belong; Nor to any Cathedral, where there is a Biſhops See, nor to their lands, other then ſuch Chanteries, Obits, Lights, and Lamps, uſed within ſuch Cathedrals within five years before this Paliament, and unto which this Act doth extend.

LXVII. The King may (during his life) alter the Names of ſuch Chanteries and their Foundations.

LXVIII. The right of all perſons (except only the Governors, Incumbents, &c. of ſuch Chanteries, &c. their Founders, and the heirs and ſucceſſors of every of them, alſo the grantees or any of the premiſes to the uſes aforeſaid, or to the uſe of any ſuch Chantery, &c. or without the Kings licence) is ſaved; likewiſe all ſervices, rents, annuities, profits, and offices, of right due to Founders, Donors, &c. and leaſes made before the beginning of this Parliament whereupon the accuſtomed rent is reſerved, are ſaved.

LXIX. The Bargainor of any of the premiſes or his Executors ſhall repay unto the Bargainee, his Executors or Adminiſtrators the money received upon ſale thereof, within three months after requeſt thereof made, and upon non-payment thereof ſuch bargainee ſhall recover it by action of debt, wherein no eſſoin, &c. ſhall be allowed.

LXX. The premiſes given to the King by this Act together with their revenues ſhall be within the ſurvey of the Court of Augmentations, or ſuch other Court as the King ſhall appoint.

LXXI. All leaſes made by the ſaid Governors, Incumbent, &c. ſince the 23 of *November* 37. *H.* 8. whereupon the old rents are reſerved, ſhall be void; but all others ſhall continue in force.

LXXII. This Act ſhall not extend to any Lands, whereof ſuch Governours, Incumbents, &c. are ſeiſed or poſſeſſed to their own uſes, and not annexed to ſuch Chanteries, Free-chappels, &c. nor

to

to any Mannors, Lands, Penſions, &c. (not parcel of the premiſes granted by *H.8.* or granted or to be granted by *E. 6.* to any of the ſaid Governors, Incumbents, &c.

LXXIII. Every perſon, which had any rent or yearly profit out of the lands of any Chantery, &c. ſhall ſtill enjoy them, notwithſtanding this Act.

LXXIV. All payments of Firſt Fruits to be made by any ſuch Governor, Incumbent, &c. after the beginning of this Parliament, ſhall be remitted.

LXXV. Payments anſwered yearly into the Exchequer out of the premiſes ſhall be ſtill continued.

LXXVI. All Aſſurances made of the premiſes by *H. 8.* or *E. 6.* or by either of their licence, or to either of them by any ſuch Governour, Incumbent, &c. ſhall be good: The right of others being ſaved.

LXXVII. This Act ſhall not extend to make good any Grant made by any Parſon, or Vicar; nor to prejudice the Lord *Cobham*, or any Corporation, or the Chantery of *Attlebo ough* in *Norfolk*.

LXXVIII. All ſuch Chanteries, Free-Chappels, &c. given to the King by this Act, as are within the Dutchy of *Lancaſter* (together with their lands, &c.) ſhall be within the ſurvey of the Dutchy-Court; and all Commiſſions to be iſſued out concerning them ſhall be under the great Seal, but ſhall be certified into the ſaid Dutchy.

LXXIX. The King may impower Commiſſioners to alter the nature and condition of Obits to better uſes; and none ſhall take advantage of any remainder, uſe, or condition, for not finding of a Prieſt, Obit, Anniverſary, Light, or Lamp.

LXXX. This Act ſhall not extend to give Copyhold-lands to the King, but the ſaid Incumbents ſhall have them during their lives towards their maintenance.

LXXXI. This Act ſhall not extend to lands recovered from a Chantery Prieſt by a good title without fraud.

LXXXII. All Letters Pattents made by *H.8.* and *E.6.* of Chantery-lands, and other the premiſes, are confirm'd.

LXXXIII. Stat. 1. 2. *P. M. 8. Pars inde.* None ſhall moleſt any perſon for any Abbey-Lands, in pain to incur a *Premunire*. *Vide* 1 *El.* 1.

☞ Money.

¶ I. The Statute of great money, *incerti temporis*. None upon grievous forfeiture ſhall expend, utter, or receive any money or any other Coyn then Engliſh, Iriſh, or Scotch, nor impeach more money than

into this Realm, then may ſerve him for his expences, nor land (unleſs forced by tempeſt) at any other then the known Ports, and there ſhall ſhew his money to ſuch perſon as the King ſhall aſſign without concealment, in pain to forfeit his body and moneys.

*II. None ſhall hide his money within Clothes, Fardels, Bales, or otherwiſe, in pain that the finder thereof ſhall have 4 *d.* for every pound ſo found, and the King the reſt; and the body of him, in whoſe hands any falſe or clipt money ſhall be found, ſhall be arreſted, untill he find ſurety, if he be a ſuſpitious man: Alſo he that finds any other coyn than Engliſh, Iriſh, or Scotch, ſhall break the ſame, and reſtore the pieces to the party that ows it, and none ſhall oppoſe him, in pain of great forfeiture: but falſe money ſhall be pierced without reſtoring it.

III. Becauſe poor people cannot well diſcover light moneyes, they ſhall receive and pay them by weight of 5. of even weight by the Tumbrel, to be delivered unto them by the Warden of the Exchange, and marked by the Kings mark, and it ſhall be lawful for any man to pierce money not weiging the Tumbrel: Howbeit, 4 *d.* ſhall be allowed in every pound weight (*being then* 20 *s.*) and ſo it be only worn 6 *d.*

*IV. The Statute of ſmall money 20 *E.* 1. No Merchant or other ſhall import into this Realm any mony clipt or counterfeited, or traffick therewith, in pain for the firſt time to forfeit the mony; for the ſecond, the mony and all his goods; for the third, his body and goods.

V. Others which have clipt money ſhall pierce it, and carry it to the Kings Exchange to be new coyned.

*VI. Stat. 9. E. 3. 1. None (without the Kings Licence) ſhall export any gold or ſilver in money or plate, in pain to forfeit the ſame.

*VII. *Cap.* 2. None ſhall import into any of the Kiugs Dominions any falſe or counterfeit money, in pain to forfeit the ſame: Howbeit, any perſon (ſtranger and other) may bring to the Kings Exchange good money or bullion, and receive convenient exchange for the ſame.

*VIII. *Cap.* 3. Small money (*viz.* half-pence or farthings) ſhall not be molten into veſſel or any thing elſe, by any Goldſmith, in pain to forfeit the money ſo molten, and to ſuffer impriſonment until he hath paid the one half thereof.

IX. *Cap.* 4. Black money ſhall not be current in this Realm.

X. *Cap.* 5. The Proſecutor againſt the offenders of this Statute ſhall be allowed a fourth part of the forfeiture.

XI. *Cap.* 6. There ſhall be no defrauding of this Statute.

XII. *Cap.* 9. Search shall be made for money exported, and false money imported.

XIII. *Cap.* 10. The Searchers shall have the fourth part of the forfeiture.

XIV. *Cap.* 11. Hostlers (viz. *Inn-keepers*, and *Victuallers*) shall be sworn to search their guests.

XV. Stat. 18 E. 3. Stat. 2. 6. Money shall be made, and exchanges ordained where the King shall please.

XVI. Stat. 25 E. 3. Stat. 5. 13. Money shall not be impaired in weight or alloy.

XVII. Stat. 25 E. 3. Stat. 5. 20. Plate of Gold and Silver shall be received into the Kings Mint by weight, and not by number, and so also shall the Money be returned.

XVIII. Stat. 38 E. 3. Stat. 1. 2. None shall export Gold or Silver in money or Plate, but Victuallers of fish, who fish for Herring or other fish, and such as import fish in small vessels, who meddle not with other Merchandize, but not otherwise then as the Chancellor shall think fit.

XIX. Stat. 5 R. 2. 2. None shall export Gold or Silver: But quære *whether this Statute be not repealed by* 4 Jac. 1.

XX. Stat. 17 R. 2. 1. The Statute of 9 E. 3. *cap* 3. shall be duly executed, and none shall melt Groats or half Groats into Vessel, upon the pain contained in that Statute.

*XXI. Foreign Coin shall not be current in *England*, but shall be brought to the bullion, there to be molten into the coin of *England*, in pain of forfeiture thereof and imprisonment, neither shall there be any exchange of English money for Scotch money, upon the like pain.

XXII. Stat. 2 H. 4. 5. If the Kings Searchers find any money or plate in the custody of any ready to pass beyond sea, or in any ship which is to go beyond Sea, it shall be forfeited to the King, save the parties reasonable expences, which he shall also lose, unless he presently confess the truth.

XXIII. Provided, that Merchant-strangers, that sell their Merchandize in *England*, and do imploy half their money received for the same upon other merchandize of *England*, may (by the Kings licence) export the other half thereof without prejudice.

XXIV. Stat. 4 H. 4. 10. A third part of all silver money which shall be brought to the Bullion, shall be coined into half pence and farthings, of each alike, and the Coiner shall make oath so to do.

XXV. No Goldsmith shall melt half-pence or farthings, in pain to forfeit four times so much as he so melts.

XXVI.

XXVI. **Stat.** 11 H.4.5. Gally half-pence ſhall not be current in *England*, and all Statutes formerly made concerning Money are confirmed.

XXVII. **Stat.** 13 H.4.6 The Statute of 11 H.4.5. and all other Statutes formerly made concerning money, ſhall be duly put in execution.

XXVIII. **Stat.** 3 H.5. **Stat.** 1. It ſhall be Felony to utter Scotch money in payments: *But this Statute is now obſolete and out of uſe.*

XXIX. **Stat.** 3. H.5.6. It ſhall be Treaſon to clip, waſh, or file money. *Howbeit this Statute is repealed by* 1 *E.* 6. 12. *and* 1. *M. Seſſ* 1. *but the ſame again made Treaſon by* 5 *El.* 11. *which ſee in* Treaſon.

☞ XXX. **Stat.** 3. H. 5. 7. Juſtices of Aſſize and of Peace have power to hear and determine all offences concerning falſe money.

XXXI. **Stat.** 9 H.5.11. No Engliſh Gold ſhall be received in payment, but by the Kings weight.

XXXII. **Stat.** 1 H.6.1. The Kings Council may aſſign money to be Coined, and Exchanges to be holden in as many places as they pleaſe.

XXXIII. **Stat.** 2 H.6. 6. No Gold or Silver ſhall be exported, in pain to forfeit the value thereof, ſave only for the ranſome of priſoners, the reaſonable coſts of Souldiers paſſing beyond ſea, and money to be expended for certain Scotch commodities, ſo as they be done by the Kings licence.

XXXIV. Merchants-Aliens ſhall find ſureties in the Chancery, every Company, for them of their Company, that none of them ſhall export any Gold or Silver, in pain to forfeit the ſame, or the value thereof, whereof the diſcoverer (unto the Treaſurer or Kings Council) ſhall have a fourth part.

XXXV. **Stat.** 2 H. 6. 9. The money called *Blanks* are wholly prohibited.

XXXVI. **Stat.** 2 H.6.12. The Mint-maſter ſhall keep his Alloy in the making of white money, according to his Indenture, and ſhall receive ſilver brought to the Mint at the true value it is worth according to the ſame Alloy, in pain to pay to the party his double damages.

XXXVII. The Kings Aſſayer (who ought to be a perſon indifferent betwixt the Mint-maſter and the Merchant) and the controller of the Mint ſhall be preſent, when any bullion is brought to the Mint, to the end the Aſſayer may ſet the true value thereof, in caſe any variance happen betwixt the Maſter and Merchant.

XXXVIII. The Controllers office is every two dayes faithfully

ly to try all silver brought in or carried out of the Mint, and that without fee, (save what he receives of the King) in pain of double damages: And he ought to be a credible man, and expert in the Mystery of Goldsmiths, and of the Mint.

XXXIX. The Mint-master and Exchanger shall convert into coin all Gold and Silver brought to the Mint or to the Exchange, according to the form of the said Indenture, upon the pain therein contained.

XL. Stat. 19 H. 7. 5. All coins of Gold and Silver current in this Realm shall so continue for the value they were so coined for, albeit some of them be cracked, so as they be not clipt, or otherwise diminished, reasonable wearing excepted.

☞ XLI. If any refuse any lawful coin in payment, he shall be compelled by the Officer of the place to receive it, and also imprisoned or otherwise punished, as such Officer shall think fit: And if any Sheriff or other Officer refuse it, he shall be compelled to take it by a Justice of Peace, and is otherwise punishable at the discretion of such Justice.

XLII. It shall be lawful for the owner of money, clipped or otherwise impaired, to exchange it at the Mint, or to convert it into Plate or Bullion, or otherwise to dispose thereof for his best profit.

XLIII. To avoid clipping of silver coins hereafter, the King appointeth new ones to be made with a circle about the outermost part thereof, and for Gold coins, that they should have the intire Scripture stamped without lacking any part thereof: to the end that by the ring or Scripture, it may be discerned, when they were clipt, or any way diminished; and the Warden and Controller of the Mint are to see them thus ordered before they passe from the Mint, in pain to forfeit their Offices, and to be fined at the Kings will.

XLIV. None shall transport any money, Plate or Bullion (above 6 *l.* 8 *d.*) into *Ireland*, nor convey any of them into any Ship or other vessel, in pain to forfeit them, and to be imprisoned and ransomed at the Kings will.

XLV. It shall be lawful for any to seize any Irish coin (above 3 *s.* 4 *d.*) brought into this Realm, and to deliver it in at the Mint, for which the Master shall presently pay him half the value thereof to his own use.

XLVI. Stat. 14, 15 H. 8. 12. The Coiners of every hundred pounds worth of gold brought to the Mint to be coined, shall make 20 *l.* thereof in half Angels (*then called pieces of* 4 *d.*) and of every hundred pounds worth of silver, 50 *l.* in groats, 20 *l.* in two pences,

20 *l.*

10 *l.* in pence, 10 *Marks* in half-pence, and 5 *Marks* in farthings; in pain that the Mint-master shall forfeit 10 *l.* to be divided betwixt the King and the prosecutor.

XLVII. The half-pence and farthings shall have several stamps, to the end they may be the better distinguished by the common people.

XLVIII. When the value of the Plate or Bullion is under 100 *l.* the owner thereof shall receive a tenth part in half-pence and farthings.

XLIX. This Act shall not be prejudicial to the Coiners and Mint-masters in *York*, *Durefm*, or *Canterbury*.

L. **Stat.** 14 *El.* 3. If any shall falsly forge or Counterfeit any coin of gold or silver, nor current in this Realm, he and his procurers, aidors and abettors (after conviction) shall be imprisoned, and forfeit their lands and goods, as in case of misprision of treason.

Monopolies.

I. **Stat.** 21 *Jac.* 3. All Monopolies and all Commissions of or for the sole buying, selling, making, working, or using of any thing within the Kings Dominions, or of any other Monopolies, or of Power, liberty, or faculty, to dispence with any others, or to give licence or toleration to do, use or exercise any thing against the tenor of any Law or Statute, or to give or make any Warrant for such dispensation, licence, or toleration, or to agree or compound for any penalty, or forfeiture limited by any Statute, or for any grant or promise of any benefit or profit of any such penalty, forfeiture, or sum of money, before Judgment thereupon had, and all Proclamations, Inhibitions, Restraints, Warrants of assistances, and other matters and things whatsoever, any way tending to the erecting, strengthening, or countenancing thereof, are contrary to the Laws of the Realm, and shall be void and of none effect.

II. All the matters and things aforesaid shall be examined, heard tried and determined by the Common Laws of the Realm, and not otherwise: And all persons are prohibited to use, exercise, or put them in ure.

III. The party grieved by pretext of any of the matters or things aforesaid, shall recover (in one of the Courts at *Westminster*) treble damages and double costs; in which suit, no essoin, or other delay shall be allowed, nor any more then one Imparlance: And if any person, after notice given, that such action depending is grounded upon this Statute, shall cause to be stayed or delayed before Judgment by any Order, Warrant, Power or Authority (save only

of the Court where it is ſo depending) or ſhall, after Judgment had, cauſe or procure the execution thereof to be ſtaid or delayed by colour or means of any ſuch Order, Warrant, Power, or Authority, ſave only by writ of Error or Attaint, he or they ſo offending ſhall incur a *Præmunire*.

IV. Letters Patents of new Manufactures heretofore granted for 21 years, or under, to the Inventors thereof, where they are not contrary to Law, or any way prejudicial to the Common-Wealth are ſaved: ſo alſo are ſuch as have been heretofore granted for more then 21 years, good for 21 years from the date of their Patent, notwithſtanding this Statute.

V. Neither ſhall this Act extend to grants of new Manufactures hereafter to be made to the Inventors thereof for 14 years or under, being not contrary to Law, or prejudicial to the Common-wealth; nor to grants heretofore confirmed by Act of Parliament, ſo long as ſuch acts continue in force: Nor to any warrant of Privy Seal granted, or to be granted to the Juſtices of the Kings Bench or Common-Pleas, the Barons of the Exchequer, Juſtices of Aſſize, of *Oyer* and *Termine*, Goal-delivery or Peace, or other Juſtices, to compound for the forfeitures of any penal Statute, depending in ſuit before them, after plea pleaded by the party defendant.

VI. This Act ſhall not be prejudicial to *London*, or any other Corporation for any grant made them concerning their Cuſtoms; Nor to any Corporation, Company, or Fellowſhip of any Art, Trade or Myſtery; nor to any Company or Society of Merchants.

VII. Neither ſhall it extend to any grant of Priviledg for Printing, digging, or making, or compounding of Salt-Peter, or Gunpowder, or caſting or making of Ordnance or ſhot for Ordnance; nor to any grant of any office now in being, other then ſuch as are decreed by the Kings Proclamation; Nor to the liberties of *Newcaſtle* concerning Sea-coals; Nor to licenſing of Taverns, ſo the King receive the benefit; Nor to the Patent granted to Sir *Robert Mansfield* for making of Glaſs; nor to that granted to *James Maxwel* Eſquire for tranſportation of Calves skins; Nor to that of *Abraham Baker* for making of Smalt; nor to that of *Edward* Lord *Dudley* for melting of Iron Ewer, and making the ſame into Caſt-works.

Mortdanceſter.

I. **Watlbridge** 16.52.H.3. If the Lord will not render unto the heir his Land (when he comes to Age) without plea, the heir ſhall

ſhall recover his Land by Aſſize of *Mortdanceſter*, together with all his damages.

II. If the heir, at his Anceſtors death be at full age, and then ſeiſed of the Inheritance, the Lord ſhall not out him, nor meddle with any thing there, but ſhall only take ſimple ſeiſin thereof, that he may be known to be Lord: And if the Lord ſhall then put him out, whereby he is driven to his writ of *Mortdanceſter* or Coſinage, he ſhall recover his damages, as in a writ of *Novel diſſeiſin*.

III. The King ſhall have *primer ſeiſin* of lands holden in chief, as in times paſt; neither ſhall the heir or any other intrude into the Inheritance, before he have received out of the Kings hands, as formerly hath been uſed.

IV. This Statute is to be underſtood of lands accuſtomed to be in the Kings hands, by reaſon of Knight-ſervice, Serjeancy, or right of Patronage.

V. **The Statute of Glocester.** *6. 6* E. 1. If one die having many Heirs, of whom one is Son or Daughter, Brother or Siſter, Nephew or Neece, and the other be a farther degree off, the heir ſhall recover by a writ of *Mortdanceſter*.

☞ Mortmain.

I. **Magna Charta,** *36. 9 H.* 3. If any ſhall give lands to a religious Houſe, the grant ſhall be void, and the land forfeit to the Lord of the fee.

II. **The Statute of Glocester,** *alias de Religioſis*, *7 E.* 1. If lands be any way alienated in *Mortmain*, to a Religious perſon or other, the King or other Lord immediate may enter within a year after ſuch alienation, and if ſuch Lord neglect it, the next Lord to him may enter within half a year after; and if all the mean Lords (being of full age within the four Seas, and out of priſon) neglect to do it, after the year the King may enter.

III. **Weſt.** *2. 31 E.* 1. Eccleſiaſtical perſons being debarred by the former Statutes to obtain lands in *Mortmain* by alienation, endeavoured fraudulently to obtain them by default in a ſuit: And therefore in ſuch caſe it was ordained by this Statute, that it ſhould be inquired by the Countrey, whether or no the demandant had a juſt title thereto, and if ſo, then he ſhould recover ſeiſin; but if otherwiſe, the Lord of the fee ſhould enter, as aforeſaid. And by this Statute each mean Lord hath a full half year given him after the Lord next before him, until it come to the

King: And here also the Lords, as also the King, are allowed their challenges.

IV. After the judgement given, the lands shall remain clear in the Kings hand, until it be deraigned by the demandant, or some other chief Lord, and the Sheriff shall be charged to answer for it in the Exchequer.

V. **Ordinatio de perquirendis libertatibus**, 27 E. 1. To obtain licence to make a Park, or to amortize lands, the writ *Ad quod damnum* shall issue out of the Chancery to inquire concerning the same.

VI. Here inquisitions of Lands, that shall be found (by extent) to be worth yearly more then 20 *s.* shall be returned into the Exchequer, and there the parties shall make fine for the Amortizements, and for the Park, if the Inquisition passe for them: And afterwards the Chancellor (or his Deputy) shall have order to do his duty therein.

VII. When the yearly value of the lands exceed not 20 *s.* the inquisition shall be returned to the Chancellor, and he (or his Deputy) shall rate and take the fine, according to the quantity of the land.

VIII. The like shall be done by such as purchase lands holden of the King in chief.

IX. If persons dwelling beyond Sea, and having lands or rents in *England*, are desirous to purchase Letters of protection, or would make general Attorneys, they shall be first sent to the Exchequer to make their fines, and from thence to the Chancellor (or his Deputy) for that which he ought to do therein.

X. In like manner shall they do that will purchase any Fair, Market, Warren, or any other liberty: also such as will purchase instalment of their debts, shall be sent into the Exchequer.

XI. Also such as are unable to travel, or dwell in remote parts from the Chancery, which plead or be impleaded, shall have a writ out of the Chancery to some sufficient man, that shall receive their Attorneys, when need is.

XII. For the better remembrance of these things, there shall be a tripartite Indenture made; whereof one shall remain in the Chancery, another in the Exchequer, and the third in the Garderobe.

XIII. **The Statute of Amortizing Lands**, 34 E. 1. Lands shall not be aliened in Mortmain, where there be mean Lords, without their consent declared under their seals: Neither shall any thing passe where the donor reserveth nothing to himself, or

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when the Inquiſition is made and returned without war, *viz.* without the Writ original returned with the Inquiſition; and unleſſe the original make mention of every thing according to the new Ordinance deviſed by the King.

XIV. **The Statute of Writs** for making Inquiſition of Lands to be put to Mortmain, *Incerti temporis*, Writs *ad quod damnum* for amortizing lands, ſhall not be granted, but upon Petition in full Parliament.

XV. **Stat.** *de Clero*, 3. 18 *E.* 3. If Prelates, Clerks beneficed, or other people of Religion being impeached for purchaſing lands in Mortmain, ſhew the Kings Charter of Licence, and proceſs thereupon made by an Inqueſt of *ad quod damnum*, or of the Kings Grace, or by Fine, they ſhall be in peace: And albeit they cannot ſufficiently ſhew that they have entred by due proceſs after licence to them granted in general or in ſpecial, yet they ſhall be well received to make a convenient fine for the ſame.

XVI. **Stat.** 15 *R.* 2. 5. It is within the compaſs of the Statute of 7 *E.* 1. to convert any Land into a Church-yard, albeit it be done by the conſent or connivence of the ter-tenant, and confirmed by the Popes Bull.

XVII. If any be ſeiſed of any lands or other poſſeſſions to the uſe of any ſpiritual perſon, with purpoſe to amortize them, and whereof ſuch ſpiritual perſon takes the profits, they ſhall before the Feaſt of S. *Michael* next, cauſe them to be amortized by the licence of the King and other Lords, or diſpoſe of them to ſome other uſe; otherwiſe they ſhall be forfeit according to the form of the ſaid Statute, as lands purchaſed by people of Religion: Add no ſuch purchaſe to the uſe of ſuch ſpiritual perſons ſhall be hereafter made upon the like pain.

XVIII. The ſame Law ſhall be of Lands or other poſſeſſions purchaſed to the uſe of Guilds and Fraternities: Alſo lands purchaſed by Corporations, or to their uſe, ſhall be within the compaſs of the ſaid Statute *de Religioſis*.

XIX. **Stat.** 23 *H.* 10. If any grant of Lands or other Hereditaments ſhall be made in truſt, to the uſe of any Churches, Chappels, Church-wardens, Guilds, Fraternities, Commonalties, Companies or Brotherhoods, or to have perpetual Obits, or a continual ſervice of a Prieſt for ever, or for 60 or 80 years, or to ſuch like uſes or intents: All ſuch uſes, intents and purpoſes ſhall be void; they being no Corporations, but erected either of devotion, or elſe by common conſent of the people.

XX. Such uſes and intents may be made and declared to con-

tinue 20 years from the time of such limiting of them, but no longer.

XXI. Collateral assurances, made for the defending of this Statute, shall be void, and this shall be interpreted most beneficially for the destruction of such uses, as aforesaid.

XXII. This Act shall not prejudice Corporations, where there is a custome to devise lands in Mortmain.

XXIII. This Act shall not prejudice the Executors of *Jarvis* and *Terry*, late Aldermen of *Norwich*.

Mortuaries.

I. **Stat.** 21 *H.* 8. 6. No spiritual person, his Bayliff, or Lessee shall take or demand more for a Mortuary, then as is hereafter expressed, nor shall convent any person before any Ecclesiastical Judge for the recovery of more for the same, then as is hereafter declared, in pain to forfeit so much as he takes or demands more, and likewise 40 *s.* to the party grieved, to be recovered by action of debt, wherein no essoin, &c. shall be allowed.

II. None shall take or demand for a Mortuary any thing at all, where (by the Custom) they have not been usually paid, nor upon the death of a Woman Covert, a Child, a person not keeping house, a wayfaring man, one not residing in the place, where he happens to die, nor where the goods of the dead person (debts deducted) amount not to the value of 10 marks: Nor above the sum of 3 *s.* 4 *d.* when they exceed not 30 *l.* nor above 6 *s.* 8 *d.* when they exceed 30 *l.* but not 40 *l.* nor above 10 *s.* when they amount to 40 *l.* or above. And if the person die in a place where he or she dwelleth not, their Mortuary shall be paid in the place where they had their most abode.

III. This Act shall not abridge spiritual persons to receive Legacies bequeathed unto them, or to the Kings Altar.

IV. No Mortuaries shall be paid in *Wales*, *Calais*, or *Berwick*, or in any of their Marches, save only in *Wales*, and the Marches thereof, where they have been accustomed to be paid, and such as are there paid, shall be regulated according to the Order prescribed by this Act.

V. The Bishops of *Bangor*, *Landaff*, S. *Davids*, and S. *Asaph*, and the Arch-Deacon of *Chester* shall take Mortuaries of the Priests within their jurisdiction, as hath been accustomed, notwithstanding this Act.

VI. Less Mortuaries already setled by Custom, shall not be increased

creaſed by this Act, and there alſo perſons exempted by this Act ſhall not hereafter be chargeable.

☞ Murder and Manſlaughter.

I. **Warlb. 25. 52 H. 3.** Murder ſhall not be adjudged where it is found misfortune only, but where the party is ſlain by felony, and not otherwiſe.

II. **Stat. 3. H. 7. 1. *Pars inde.*** Every Coroner, upon view of the dead body ſhall inquire of the perſon that hath done the death or murder, alſo of their abettors and conſenters, and who were preſent when it was done, and the names of the perſons ſo preſent and found, ſhall inroll and certifie.

III. Here, the offender and his acceſſaries being indicted, ſhall be alſo arraigned at any time within the year at the Kings ſuit, and the proceeding thereof, ſhall not tarry for any appeal to be proſecuted within the year, as hath been heretofore uſed.

IV. Albeit the principal or acceſſary be acquit within the year and day, yet ſhall not the Juſtices ſuffer them to go at large, but either remand them to priſon, or let them be bailed, until the year and day be out: And whether they be attainted or acquit, yet the wife or next heir of the ſlain, may within the year and day (the benefit of Clergy being not before had) proſecute their appeal againſt them, any ſuch attainder or acquital notwithſtanding.

V. The wife or heir may commence their appeal in proper perſon at any time within the year before the Sheriff and Coroners of the County where the offence was done, or before the Juſtices of the Kings Bench or Goal-delivery. And in any ſuch caſe (ſave only where Battel lieth) the Appellant (after the ſuit ſo commenced) may appoint an Attorney to proſecute it.

VI. When one is ſlain in the day time, and the murderer eſcapes untaken, the Townſhip that ſuffers it, ſhall be amerced, and the Coroner ſhall inquire thereof upon the view of the body dead.

☞ VII. Alſo Juſtices of Peace have power to inquire of Eſcapes; and to certifie them into the Kings Bench; And after the Felonies found, the Coroners ſhall deliver their inquiſitions before the Juſtices of the next Goal-delivery there, who ſhall proceed againſt the murderers, or elſe certifie ſuch Inquiſitions into the Kings Bench.

VIII. A Coroner ſhall not be remiſs, but duly execute his office according to Law, in pain of 5 *l.* and ſhall have for his fee (upon view of the body) 13 *s.* 4 *d.* of the goods of the murtherer,

if

if he have any; if not, then out of such amerciaments as shall be set upon the Town-ship, that suffered the murtherer to escape.

Musters, *vid.* Captains and Souldiers.

I. Stat. 4.5 P.M. 3. If any who shall be commanded to muster by any authorized thereunto, doth absent himself (having no lawful excuse) or at such musters doth not bring with him his best Arms, he shall suffer ten dayes Imprisonment without bail, to be imposed by the persons so authorized, unless he will agree to pay 40 *l.* for a fine to the use of the King and Queen, and the heirs and successors of the Queen, which fine shall be estreated into the Exchequer by the said persons so authorized under their seals within 2 months after such agreement, and afterward levied as fines assessed by Justices of Assize and Goal-delivery in their Circuits.

II. If any person authorized to muster, or levy Souldiers, shall exact or take any reward to discharge or spare any from the said service, he shall forfeit ten times so much, as he shall so exact or take.

III. A Captain or other Officer, which after he shall have (for a reward) licenced a Souldier to depart, doth not pay him his wages, and coat and conduct money, shall forfeit ten times so much as he shall so take, and to the Souldier three times so much as he should have paid him.

IV. The one moity of the aboveſaid forfeitures (except that limited to the Souldier) is given to the King and Queen, and the other to the prosecutor.

V. Justices of Assize, Justices of Peace, and Stewards in Leets have power to hear and determine these offences; and the Justices of Assize or Peace upon conviction of the offender may commit him to prison without bail, until he hath satisfied the aboveſaid penalties to the King, Queen, and prosecutor, or where there is no prosecutor to the King and Queen alone.

VI. Offences committed during the time of service, shall be heard and determined by the Chief Commander.

VII. This Act shall not discharge service of war incident to the tenure of land.

VIII. The offender of this Act shall not be twice punished for the same offence.

IX. None shall under colour of service of war incident to the tenure of land exact any other thing, then what shall be imployed in

in preſent ſervice, and ſhall be reſtored again to the owner, when the ſervice is done, at leaſt ſo much thereof, as ſhall not be ſpent or loſt in the Service.

X. Inhabitants within Cities, Burroughs, and Corporations ſhall be muſtered at home, by the head-Officer, and one other (at leaſt) to be joyned with him by Commiſſion, or otherwiſe.

Newcaſtle upon Tine.

I. Stat. 9.5.H.10. ALL Keels in the Port of *Newcaſtle* ſhall be meaſured by Commiſſioners thereto aſſigned by the King, and marked of what Portage they are, before any carriage of Coals be made by them, in pain to forfeit them to the King.

II. Stat. 21.H.8.18. No perſon ſhall ſhip, load, or unload any goods, to be ſold into, or from any Ship at any place: between the River of *Tin*, between the places called *Sparhawk* and *Headwinſtreams*, but only at the Town of *Newcaſtle*, in pain to forfeit ſuch goods which the Major, Burgeſſes and Commonalty there, ſhall have power to ſeize for the Kings uſe.

III. None ſhall raiſe or levy any Ware, gore, or engine in the Haven there betwixt the places aforeſaid, in pain of 100 *l.* to be divided betwixt the King and the proſecutor. And the Major, &c. have power to take away all ſuch Weers, &c. which ſhall be found betwixt the ſaid places.

IV. This Act ſhall not extend to the buying, ſhipping, loading or unloading of ſalt or fiſh, nor to the buying or ſelling of any Wares or Merchandize, needful for the victualling or amending of Ships.

News.

* I. Weſt. 1.33.3 E.1. None ſhall report any falſe or ſlanderous news or tales, whereupon diſcord may ariſe betwixt the King and his People, or the great men of the Realm, in pain of Impriſonment, until he produce the Author.

II. Stat. 2.R.2. *Stat.*1.5. None ſhall deviſe, ſpeak or tell any falſe news, lies, or other ſuch falſe thing of Prelates, Lords, or the great Officers of the Realm, whereby any diſcord or ſlander may ariſe, in pain to be puniſhed, as by the Statute of *Weſtm.* 1. is ordained.

Stat.

III. **Stat.** 12.R.2.11. When any one hath ſpoken falſities, contrary to the aforeſaid Statutes, and cannot produce the Author, and is thereupon impriſoned, he ſhall afterwards be puniſhed by the Kings Council, notwithſtanding the ſaid Stat. of *weſt.* 1.

Niſi prius.

I. **Weſt.** 2.30. 13 E.1. Juſtices ſworn ſhall be aſſigned to take aſſizes of *Novel diſſeiſin*, *Mortdanceſter*, and *Attaints*, and they ſhall aſſociate unto them one or two of the diſcreeteſt Knights of the County where they come, which Aſſizes and Attaints ſhall be taken but thrice in the year, *viz.* 1. between 8. of *July* and the firſt of *Auguſt*, 2. the 13. of *September* and the 6. of *October*, the 3. of *January*, and the 2. of *February*.

II. At ſuch Aſſizes, before they depart, they ſhall appoint the day of their return, and may alſo adjourn the Aſſizes from day to day, if the taking of them happen to be deferred at any day by vouching to warranty eſſoin, or default of jurors: They may alſo adjourn Aſſizes of *Mortdancaſter* (being reſpited by eſſoin or voucher) into the Bench, and in ſuch caſe ſhall ſend thither the Record thereof, together alſo with the Original writ: And when the matter is come to the taking of the Aſſize, the Juſtices of the Bench ſhall remit it to the Juſtices before whom the Aſſizes ſhall be taken: But the Juſtices of the Bench in ſuch Aſſizes ſhall give 4. dayes (at leaſt) in the year, before the Juſtices aſſigned, to ſpare expence and labour.

III. All pleas in either of the Benches, that require ſmall examination ſhall be determined before them: Howbeit it muſt be at a day and place certain appointed in the preſence of the parties, and mentioned in the Judicial writ by theſe words, *Præcipimus tibi quod venire facias coram juſticiariis noſtris apud Weſtmonaſterium in Octabis Sancti Michaelis* (*niſi* Talis & Talis, tali die & loco *ad partes illas prius venerint*) *duodecim*, *&c.* And when the Inqueſts of ſuch pleas are taken, they ſhall be returned into the Bench where they were commenced to receive Judgement, and to be inrolled: And Judgement otherwiſe taken ſhall be void, except in an Aſſize of *Darrein preſentment*, and Inquiſitions of *Quare impedit*, which ſhall be determined in their proper County, before one of the Juſtices of the Bench and a Knight, at a day certain in the Bench aſſigned whether the Defendant conſent or not, and there ſhall judgement alſo paſſe immediately.

IV. The Juſtices of the Benches ſhall have in their Circuits, Clerks to inroll all pleas pleaded before them, as hath been uſed

in

in times past: and the Justices assigned shall not compell the Jurors to say precisely, whether it be disseisin or not, so as they will shew the matter of fact, and then require aid of the Justices; But if they will of their own head say, that it is disseisin, their verdict shall be admitted at their own peril: And the Justices shall not put upon Assizes or Juries any other, then such as were summoned for the same at the first.

V. **Stat.** *De finibus levatis*, 27 E. 1. 4. Inquests and Recognisances determinable before the Justices of either Bench shall be taken in time of vacation before any of the Justices, before whom the plea is brought, being associate to one Knight of the same County, where such Inquest shall pass, unless they require great examination: And such Justices shall proceed therein notwithstanding the Statute of 21 E. 1. *De ponendis in Assisa*, which see in Jurors.

VI. **Stat.** *Eborac.* 12 E. 2. 3. Inquests in pleas of land (that require no great examination) shall be taken in the County before a Justice of the Peace, where the plea is, accompanied with a substantial man in the Country, whether Knight or other, so as a certain day be given in the Bench, and a certain day and place in the Countrey, in the presence of the parties, and the demandant request the same: but Inquests of Pleas, that require great examination, shall be taken in the Countrey (in manner aforesaid) before two Justices of the Bench.

VII. **Stat.** *Ebor.* 12 E. 2. 4. Justices of *Nisi prius* have power to record non-suits and defaults in the Countrey, at the dayes and places assigned, and shall report them in the Bench at a day certain, there to be inrolled, and thereupon Judgment shall be given.

VIII. **Stat.** 2 E. 3. 16. Inquests in pleas of Land shall be as well taken at the request of the tenant, as of the demandants, notwithstanding the Statute of 12 E. 2. 3.

IX. **Stat.** 4 E. 3. 11. Justices of the Benches of Assiise, and of *Nisi Prius*, shall have power to hear and determine maintenance, conspiracy, confederacy, and champerty, as well as Justices in *Eyre*: And that which cannot be determined before the Justices of either Bench, upon the *Nisi Prius*, shall be adjourned unto the Bench where they are Justices, and shall be there determined. *Note, that this Statute is confirmed by the Statute of* 7 R. 2. 15. *which see in* Maintenance.

X. **Stat.** 14 E. 3. *Stat.* 1. 16. A *Nisi prius* in the Kings Bench shall be granted before a Justice of that place, if any Justice of that place may well go into those parts, if not, then before a Justice of

of the Common Pleas; ſo likewiſe, thoſe in the Common Pleas ſhall be grantable before a Juſtice of the Kings Bench, if he may go thither *vice verſa*; but if none of them may go, then before the chief Baron; if; &c. or elſe before the Juſtices aſſigned to take Aſſizes in the Circuits, ſo as one of them be a Juſtice of one of the Benches, or of the Kings Serjeant ſworn: And here (to avoid fraud) if one party demand a tenor of the record, another tenor thereof ſhall be alſo (upon requeſt) delivered to the other party.

XI. Where Aſſizes of *Quare impedits*, and *Darrein preſentment* are triable in the Countrey by *Niſi prius*, before the Juſtices of either Bench, the chief Baron, or Juſtices of Aſſize, they may there give Judgment upon them.

XII. **Stat.** 7 R. 2. 7. In all pleas where *Niſi prius* is grantable of office, after the great diſtreſs returned and three times ſerved before the Juſtices againſt the Jurors, and thereupon the parties demanded, if either party will purſue; or if they refuſe to have a *Niſi prius* in the caſe, then at the ſuit of any of the Jurors there preſent, a Writ of *Niſi prius* ſhall be granted to end the quarrel, and that as well in the Exchequer as elſewhere.

XIII. **Stat.** 14 H. 6. 1. Juſtices of *Niſi prius* have power to give their Judgments in caſes of Felony and Treaſon, as well upon acquital as attainder, and thereupon alſo to award execution.

XIV. **Stat.** 18 El. 12. The chief Juſtice of *England* upon iſſue joyned in the Kings Bench or Chancery, and the chief Juſtice of the Common Pleas, and chief Baron of the Exchequer, upon iſſues joyned in their ſeveral Courts, or (in their abſence) two other Juſtices or Barons are made Juſtices of *Niſi prius* for the County of *Middleſex*, and may ſit in *Weſtminſter*-Hall, or in the Exchequer, within the term, or four days after for the trial of iſſues joyned in the ſaid Courts reſpectively, and triable in *Middleſex* aforeſaid, to prevent interruption of proceeding in the ſaid ſeveral Courts during the term, and for the better eaſe of the Free-holders of *Middleſex*. Upon which trials *Tales* ſhall be granted, and all other proceedings ſhall paſs as upon Writs of *Niſi prius* triable elſewhere in the Country.

Non-plevin.

I. **Stat.** 9 E. 3. 2. None ſhall loſe their Land by reaſon of *Non plevin*.

Non-ſuit.

I. Stat. 2 H.4.7. Where before Juſtices of Aſſiſe the parties are adjourned for ſome difficulty in law upon the matter found, in this caſe the Plaintiff ſhall not be non-ſuited, albeit the verdict paſſe againſt him.

Non-tenure.

I. Stat. 25 E.3. Stat.5.16. By the exception of Non-tenure of parcel no Writ ſhall abate, but only for the quantity of the Non-tenure which is alledged.

Northumberland.

I. Stat. 23 H.6.7. The Sheriff of *Northumberland* ſhall gather no more Head-pence there, in pain of 100 *l.* to be divided betwixt the King and the proſecutor.

Norwich.

* I. Stat. 33 H.8.16. None ſhall buy within *Norwich* or the County of *Norfolk*, any Worſted yarn ſpun in the ſaid City or County but ſuch as ſhall work it, or cauſe it to be wrought in *Norwich*, or elſewhere within the ſaid County, in pain to forfeit for every pound thereof otherwiſe imployed 40 *s.* to be divided betwixt the King and the proſecutor.

II. None ſhall convey beyond Sea any Worſted-yarn (ſpun in *England*) in pain to forfeit 40 *s.* for every pound, to be divided as aforeſaid.

III. Stat. 1 E.6.6. The Statute of 33 H.8.16. is made perpetual.

IV. Hat-makers dwelling in *Norwich* may buy Worſted-yarn called *Middl-affe yarn*, as they have uſed to do, notwithſtanding the Statute of 33 H. 8. 16. ſo as they imploy it in Hat-making within the ſaid City.

V. Stat. 5 6 E.6.24. None ſhall make Mats, Coverlets, or Dornecks, by himſelf or others, or uſe any of thoſe myſteries in *Norwich* or *Norfolk*, unleſs he be admitted ſo to do by the Major, Recorder, Steward, and two Juſtices of Peace of that City, or by four of them, or have been apprentice to the ſaid Myſtery by the ſpace of ſeven years.

VI.

VI. None ſhall make any Hats, Dornecks, or Coverlets, in *Norfolk*, but only in ſome Corporate or Market-Town there, in pain to forfeit for every ſix Felts 10 *s.* for every Coverlet 3 *s.* 4 *d.* and for every ſix yards of Dornecks 6 *s.* 8 *d.*

VII. This Act ſhall not extend to the Inhabitants of *Pulham* in *Norfolk*.

VIII. The Major, Recorder, Steward, or Juſtice of Peace, that takes a reward for admitting any to work ſhall forfeit 5 *l.* to be divided betwixt the King and the proſecutor.

IX. **Stat.** 1, 2. *P.M.* 14. An Act for the making of Ruſſets, Sattens, Sattens reverſes, and Fuſtians of *Naples* at *Norwich*, and not elſewhere, by which Act there is a Corporation made for that purpoſe, and divers Articles concerning the ſame. *See the Act at large.*

X. **Stat.** 39 El. 22. An eſtabliſhment of the Biſhoprick of *Norwich*, and the poſſeſſion thereof, againſt a pretended concealed title made thereunto. *See the Statute at large.*

☞ Nuſance.

I. **Weſt.** 2. 24. 13 E. 1. A Writ of Nuſance ſhall be grantable as well againſt the Alienee as againſt the party that levied it, and when it is againſt the party himſelf, the Writ ſhall be *Queſtus eſt nobis* A. *quod* D. *injuſte, &c. Levavit domum, murum, mercatum, & alia, quæ ſunt ad nocumentum, &c.* But when againſt the Alien, the Writ ſhall be *Queſtus eſt nobis* A. *quod* B. & C. *Levaverunt, &c.*

II. **Stat.** 6 R. 2. 3. All Writs of Nuſance called *Vicomtiels*, ſhall be made at the election of the Plaintiff, according to the old form, or in the nature of Aſſizes, determinable before the Juſtices of the one Bench or other, or the Juſtices of aſſize to be taken in the County of the place aſſigned.

Oath.

I. *See* Magna Charta, *printed by* Richard Tottle, *Anno Domini* 1556. fol. 164. and 166. *the Oaths of the King, the Biſhops, the Kings Counſellors, Eſcheators, Sheriffs, Majors, and Bailiffs. See the* Oath Ex Officio, *Courts and Juriſdictions Eccleſiaſtical.* Numb. IV. *And ſee, Title Quakers*, Numb. I.

Obligations.

I. Stat. 38 E.3.4. Whereas divers people be bound in another Court out of the Realm, by Inſtruments or otherwiſe, it is accorded, that all penal bonds in the third perſon be void, and holden for none.

Odio & Atia.

I. Weſt. 1.11.3 E.1. Foraſmuch as many being indicted of Murder, and guilty thereof, by favourable inqueſts taken by the Sheriff, and by the Kings Writ of *Odio & Atia* are replevied, until the comming of the Juſtices in *Eyre*. It is provided, that from henceforth ſuch Inqueſts ſhall be taken by lawful men choſen out by the oath of twelve men (of whom two at the leaſt ſhall be Knights (who by no affinity with the Priſoners, or otherwiſe, are to be ſuſpected.

Officers and Office.

I. Stat. 12 R.2. The Chancellor, Treaſurer, Keeper of the Privy Seal, Steward of the Kings hou e, the Kings Chamberlain, the Clerk of the Rolls, Juſtices of the Benches, Barons of the Exchequer, and all others called to name, and ordain Juſtices of Peace, Sheriffs, Eſcheators, Cuſtomers, Controllers, or any other Officer or Miniſter of the King, ſhall be firmly ſworn, that they ſhall not name or ordain any Officers or Miniſters for any gift or brocage, favour or affection: And none, which purſueth by him or by other privily or openly to be in any ſuch office, ſhall be put in the ſame or any other: but that they make all ſuch Officers and Miniſters of the beſt and moſt lawful and ſufficient men in their judgments and knowledg.

II. Stat. 14 R. 2. 10. No Cuſtomer, Controller, Searcher, Weigher, or Finder ſhall have any ſuch Office for term of life, but only during the Kings pleaſure, notwithſtanding any Patent or Grant to the contrary.

III. Stat. 17 R.2.5. No Searcher, Gauger, Aulnager, Finder, or Weigher of Wools or other Merchandize, Collector of Cuſtoms and Subſidies, or Controller ſhall have their ſeveral Offices for term of life or years: But ſuch Offices ſhall remain in the Kings hand under the governance of the Treaſurer with the aſſent of the

Council, if need be: and all Charters and Patents otherwiſe made ſhall be void.

IV. **Stat.** 1 H.4.13. The Statute of 17 R. 2. 5. ſhall be duly put in execution, and all Cuſtomers and Controllers ſhall be reſident upon their Offices in their proper perſons without making any deputies in their places.

V. **Stat.** 4 H.4.20. The Statute of 1 H.4.13. ſhall be duly put in execution, and the ſaid Officers ſhall be ſworn ſo to do, in pain of impriſonment, and to forfeit 100 l.

VI. **Stat.** 13 H.4.5. The Statute of 1 H.4. 13. ſhall be duly put in execution: And all Cuſtomers, Controllers, Gaugers of Wines, and ſearchers ſhall be reſident upon their office, eſpecially at the time of charge and diſcharge of Ships and Veſſels, ſo that no ſuch Officer, after the time aforeſaid, be abſent from his ſaid Office, by three weeks at the moſt, in pain to loſe his Office, unleſs he be commanded upon record to be in the Kings Courts, or otherwiſe in the Kings ſervice of Record.

VII. **Stat.** 2 H.6.10. All Officers made by the Kings Letters Patents within his Courts, which have authority (*ab antiquo*) to appoint Clerks and Miniſters within the ſame Courts ſhall be ſworn to appoint ſuch there, for whom they will anſwer at their peril, and ſuch as be ſufficient, and will be faithful and diligent in their places.

VIII. **Stat.** 31 H.6.5. All Letters Patents of the ſaid Offices or Aulnage made againſt the effect of the Statutes of the 17 R.2.5. or 4 H.4.24. (*which ſee in* Drapery) ſhall be void: And no Letters Patents of any of them ſhall be hereafter made, but by warrant of bill ſealed by the Treaſurer, and ſent by him into the Chancery as hath been heretofore uſed; and if any be otherwiſe made, they ſhall be void.

IX. This Act ſhall not extend to be prejudicial to the Queen, the Prince, the Duke of *Buckingham*, the heirs of *Henry*, late Earl of *Warwick*, the Cities of *London* or *Wincheſter*, to any Controller for any Office out of the Kings Ports, to *John Panicock*, or *Giles Seyatlo*, Eſquires, or to any of the King or Queens houſhold ſervants for any of their Offices, or the fees thereof due and accuſtomed.

* X. **Stat.** 5 E.6.16. None ſhall bargain or ſell any Office or Deputation, or any part thereof, or receive or take any money, fee, reward, or other profit, directly or indirectly, or any promiſe, agreement, bond, or aſſurance, to receive any ſuch profit for the ſame; which office ſhall concern the adminiſtration or execution of Iuſtice, or the receipt, controlment, or payment of any of the Kings

Kings Money or Revenue, or any Accompt, Aulnage, Auditorſhip, or ſurveying of any of the Kings Lands, or any of his Cuſtoms, or any adminiſtration or attendance in any Cuſtom-houſe, or the keeping of any of the Kings Towns, Caſtles, or Fortreſſes, (being places of ſtrength or defence) or any Clerkſhip in any Court of Record, in pain that the Bargainee thereof ſhall loſe his place, and the Bargainor be adjudged diſabled to execute the ſame; and every ſuch bargain and agreement ſhall be void.

XI. Provided, that this Act ſhall not extend to any office or inheritance, or for the keeping of a Park, Houſe, Mannor, Garden, Chaſe or Foreſt; nor to the two Chief Iuſtices, or Iuſtices of Aſſize, but that they may grant offices, as they did before the making of this Act: Alſo all Acts done by an officer (removeable by force of this Statute) ſhall be good in Law, until he be removed.

XII. **Stat.** 14 *Car.* 2. *cap.* 8. Officers and Offices aſſeſſed for raiſing Money, to be diſtributed amongſt loyal and indigent Officers of the late Kings Army.

XIII. Provided, this Act not to be drawn into preſident, to tax any ſort of perſons diſtinct from the body of the people.

Oyer and *Terminer*.

I. **Weſt.** 2. 29. 13. *E.* 1. A Writ of Treſpaſs (*ad audiendum & terminandum*) ſhall not be granted, but before the Iuſtices of either Bench, or Iuſtices in *Eyre*, unleſs it be for ſome heynous Treſpaſs, which requires ſpeedy remedy.

II. A Writ to hear and determine Appeals (before Juſtices aſſigned) ſhall not be granted but upon a ſpecial caſe, a certain cauſe and the Kings command: And leſt the party ſhould be kept too long in priſon, they may have the Writ *De Odio & Atia*, provided by *Magna Charta*, *cap.* 26. and other Statutes.

III. **Statutum quod vocatur Ragman de Juſticiariis aſſignatis**, 33 *E.* 1. By this Act it was ordained, that Juſtices ſhould go through *England*, to hear and determine treſpaſſes, and other complaints of things done within 25 years before, and divers matters be in that Statute concerning thoſe things. *See the Statute in Vet. Mag. Cart.* fol. 28. *and Sir* Edw. Cook *in the fourth part of his Inſtit.* cap. 34.

IV. **Stat.** 2 *E.* 3. 2. *Pars inde.* Commiſſioners of *Oyer* and *Terminer*, ſhall not be granted, but before the Juſtices of the one Bench or the other, or the Juſtices Errants, and that for great hurt and horrible Treſpaſſes, and of the Kings ſpecial Grace, according to the Statute of *Weſtm.* 2. 29.

Oyle.

I. Stat. 3 H. 8. 14. The Major of *London*, together with the Master and Wardens of the Mystery of Tallow-Chandlers there, shall have power to search all Oyls brought to *London* to be sold, and to oversee that the same be not mixed or altered from their right kinds; and what they shall find deceitfully mixed shall cast away, and punish the Offendor by imprisonment, or otherwise, at their discretions, according to the Laws and Customs of the said City.

II. Head-Officers in other Corporations, shall have the like power within their Jurisdictions.

☞ Ordinaries.

I. West. 2. 19. 13 *E.* 1. Where an intestate dies in debt, and the goods come to the Ordinary to be disposed, in this case the Ordinary shall satisfie the debts so far as the goods extend, in such sort, as the Executors of such persons should have done, in case he had made a Testament.

II. Stat. 18 *E.* 3. 6 3. Temporal Justices shall not make inquiries of process awarded by the Spiritual Judges, saving only the Article in *Eyre*, such as ought to be.

III. Stat. 25 *E.* 3 *Stat.* 3. 9. The Justices shall not impeach Ordinaries, or their Ministers, upon Indictments of general Extortions or Oppressions, unless they put in certain in what thing, of what, and in what manner the Ordinaries or their Ministers have committed extortion or oppression.

☞ Painters.

* I. Stat. 1 *Jac.* 20. NO Plaisterer shall use to exercise the Art of a Painter in *London*, or the Suburbs thereof, or lay any manner of Colour or Painting whatsoever (in the Art of Painting heretofore used) unless he be a Servant or Apprentice to a Painter, or have served seven years as an Apprentice in that Art, in pain for every time so offending to forfeit 5 *l.* to be divided betwixt the King and the Prosecutor.

II. Provided, that Plaisterers may use Whiting, Blacking, Red-Lead,

Lead, Red-Okar, and Ruſſet, mingled with Size only, and not with Oyl, notwithſtanding this Statute.

III. Provided alſo, that no Painter ſhall take above 16 *d.* the day for laying any flat colour whatſoever, mingled or mixed with Oyl or Size, upon any Timber, Stone, or Lead.

Palace.

I. **Stat.** 28 *H.* 8. 12. The limits of the Kings Palace at *Weſtminſter* ſhall extend from *Charing-Croſs* to *Weſtminſter-Hall*, and ſhall have ſuch priviledges, as the Kings ancient Palaces have.

Panel.

I. **Stat.** 42 *E.* 3. 11. No Inqueſts but Aſſizes and Deliverances of Goals ſhall be taken by Writs of *Niſi prius* before the Names of all that are to paſs thereupon, are returned into the Court.

II. The Sheriff ſhall array the Panels in Aſſizes four days at leaſt before the Seſſions of the Juſtices, in pain of 20 *l.* ſo that the parties may have a Copy of the Panels, if they demand them; and the returns thereof by the Bailiffs to the Sheriffs, ſhall be ſix dayes before the Seſſions, upon the like pain.

III. The moſt ſubſtantial people, worthy of credit, and not ſuſpect, ſhall be put upon Panels, and ſuch as may have beſt knowledge of the truth, and dwell neareſt.

IV. **Stat.** 3 *H.* 8. 12. Panels returned by the Sheriff to inquire for the King, may be reformed by the Juſtices of Goal-Delivery, or Juſtices of Peace (1 *Qu.*) before whom ſuch Panel ſhall be ſo returned: And the Sheriff ſhall return the Panels ſo reformed, in pain of 20 *l.* to be divided betwixt the King and the Proſecutor; and in this caſe, the Kings Pardon ſhall be no bar againſt ſuch Proſecutor.

Pardon.

I. The **Stat.** of *Gloceſter* 9. 6 *E.* 1. No Writ ſhall be granted out of the *Chancery* for the death of a man, to inquire whether one did kill another by misfortune, or *ſe defendendo*, or otherwiſe by Felony: but the party ſhall be put in Priſon, until the coming of the Juſtices in *Eyre*, or Juſtices aſſigned to the Goal-delivery, and ſhall put himſelf upon the Countrey before them; and in caſe it be found *per infortunium*, or *ſe defendendo*, upon report there-

of to the King by the Juſtices, the King ſhall take him to his Grace, if he ſo pleaſe.

II. **Stat.** 2 *E.* 3. 2. *pars inde*, Charters of Pardon for Manſlaughters, Robberies, Felonies, and other Treſpaſſes, ſhall not be granted, but where the King may do it, ſaving his Oath, *viz.* where one man killeth another in his own defence, or by a misfortune.

III. **Stat.** 4 *E.* 3. 13. The Statute of 2 *E.* 3. 2. is confirmed.

IV. **Stat.** 10 *E.* 3. 2. Pardons ſhall not be granted contrary to the *Stat.* of 2 *E.* 3. 2.

V. **Stat.** 10 *E.* 3. 3. He that hath a pardon of Felony, ſhall within three moneths after ſuch pardon find Sureties (before the Sheriff and Coroners for the good behaviour) which ſhall within 3 weeks after the 3 moneths, be returned into the *Chancery* under the Seals of the ſaid Sheriff and Coroners: And if the party give not Security as aforeſaid, as being bound, do bear himſelf otherwiſe againſt the Peace than he ought, the Pardon ſhall be holden for none.

VI. **Stat.** 14 *E.* 3. *Stat.* 1. 15. No Pardon of the death of a man, or other Felony, ſhall be granted, but onely where the King may do it, ſaving the Oath of his Crown; and if any Pardon be granted againſt the Statutes made before this time, it ſhall be holden for none.

VII. **Stat.** 27 *E.* 3. *Stat.* 1. 2. Pardons, which have not in them the ſuggeſtion, whereupon they are granted, and alſo the Suggeſtors name ſhall be void; ſo are thoſe likewiſe, which are granted upon falſe ſuggeſtions.

VIII. **Stat.** 13 *R.* 2. 1. In a Pardon, the offence committed ſhall be ſpecified, otherwiſe it ſhall not be allowed.

IX. No Pardon of Treaſon or Felony ſhall paſs without Warrant of the Privy Seal.

X. If the Offence pardoned, be afterwards found wilful Murder, that Pardon ſhall not be allowed. *Vide Stat.* 16 *R.* 2. 9.

XI. **Stat.** 5 *H.* 4. 2. If an Approver ſhall commit Felony, after he is pardoned, he that procured his Pardon ſhall forfeit 100 *l.* whoſe Name ſhall alſo, for that purpoſe, be inſerted in the ſaid Pardon.

XII. **Stat.** 21 *Jac.* 35. The Kings moſt gracious and general Pardon, except as therein is excepted. *See the Statute at large.*

XIII. **Stat.** 12 *Car.* 2. *cap.* 11. The Kings moſt gracious free and general Pardon, Indempnity and Oblivion. *See the Stat. at large.*

Par-

Parliament.

I **The Mirrour of Juſtices**, *Cap.* 1. *Sect.* 3. *Anno Ælfredi Primi Monarchæ, Anno Domini.* Parliaments ſhall be held twice a year, and oftner if need require: *But note, that this was by the King and Lords onely, and in time of Peace.*

II. **Stat.** 4. *E.* 3. 14. A Parliament ſhall be holden once a year, and oftner if need be.

III. **Stat.** 36 *E.* 3. 10. A Parliament ſhall be holden every year.

IV. **Stat.** 5. *R.* 2. *Stat.* 2. 4. Every perſon and Communalty having Summons of Parliament ſhall come thither, in pain to be amerced, or otherwiſe puniſhed: And if the Sheriff doth not ſummon them, he ſhall be likewiſe amercied or otherwiſe, as hath been uſed in times paſt.

V. **Stat.** 12 *R.* 2. 12. The levying of the expences of Knights coming to Parliament, ſhall be made as in times paſt; and if any Lord or other have purchaſed Lands or other poſſeſſions, that were wont to be contributary to ſuch expences, they ſhall ſtill continue to be ſo, notwithſtanding ſuch purchaſe.

VI. **Stat.** 7 *H.* 4. 15. The election of the Knights of the Shires ſhall be as followeth, *viz.* At the next County, after the delivery of the Writ, Proclamation ſhall be made in full County of the day and place of the Parliament, and that all there preſent, as well Suitors ſummoned as otherwiſe, ſhall attend to the Election of the ſaid Knights, and then in full County a free and indifferent Election ſhall be made, notwithſtanding any requeſt or command to the contrary.

VII. After ſuch Choice, the names of the parties ſo choſen (be they preſent or abſent) ſhall be written in an Indenture under the Seals of all them that did chooſe them; which Indenture ſo ſealed and tacked to the ſaid Writ, ſhall be the Sheriffs return thereof, touching the Knights of the Shires: And in ſuch Writs this Clauſe ſhall be hereafter put, *Et electionem tuam in pleno Comitatu tuo factam diſtincte & aperte ſub ſigillo tuo & ſigillis eorum, qui electioni illi interfuerunt, nos in Cancellaria noſtra ad diem & locum brevi contentum certifices indilate.*

VIII. **Stat.** 11 *H.* 4. 1. Juſtices of Aſſize ſhall have power to inquire in their Seſſions, of Returns made by the Sheriffs, contrary to the Statute of 7 *H.* 4. 15. And if it be found by Inqueſt, that any Sheriff hath made any ſuch return, he ſhall forfeit 100 *l.*

to the King, and the Knights ſo unduly returned ſhall loſe their wages.

IX. **Stat.** 1 *H* 5. 1. All former Statutes made for the election of Knights of the Shire are confirmed.

X. They ſhall be reſiant in the County for which they are choſen, the day of the date of the Writ of Summons; ſo alſo ſhall they be that chooſe them: Alſo Citizens and Burgeſſes ſhall be reſiant in, and free of the Cities and Boroughs for which they are choſen.

XI. **Stat.** 6 *H.* 6. 1. Knights of the Shires and Sheriffs, againſt whom any Inqueſt of Office for undue Elections are found before the Juſtices of Aſſize, ſhall have their anſwer, and traverſe thereunto, and ſhall not be damnified thereby, until they be duly convict thereof according to Law.

XII. **Stat.** 8 *R.* 6. 1. The Clergy called to the Convocation by the Kings Writ, together with their Servants and Familiars, ſhall fully uſe and enjoy ſuch liberty or defence in coming, tarrying, and returning, as the great men and Communalty of the Realm, called to Parliament, do or ought to enjoy.

XIII. **Stat.** 8. *H.* 6. 7. The election of Knights of the Shire, ſhall be made by the more voices of people dwelling in the Counties, having each of them Land or Tenements of the yearly value of 40 *s.* beſides Repriſes: alſo the Knights ſo choſen ſhall be reſiant within the ſame Counties.

XIV. The Sheriff hath power to examine upon Oath the chooſers, how much they may expend by the year.

XV. If the Sheriff be found by Inqueſt, and alſo attainted before Juſtices of Aſſize, to have done contrary to this Act, he ſhall forfeit 100 *l.* to the King, and ſuffer a years impriſonment, without Bail; and in that caſe the Knights ſo returned ſhall loſe their wages.

XVI. He that cannot expend 40 *s. per annum*, ſhall have no voice in the election of Knights for the Parliament, and hereafter in every Writ iſſued out for that purpoſe, mention ſhall be made of this Ordinance.

XVII. **Stat.** 10 *H.* 6. 2. A chooſer of the Knights of Parliament muſt be reſident, and have free-hold worth 40 *s. per annum*, beſides Repriſes, within the ſame County.

XVIII. **Stat.** 23 *H.* 6. 11. The Sheriff in the next County Court after he ſhall have received the Writ for aſſeſſing the wages of the Knights of Parliament, ſhall make Proclamation, that the Coroners, chief Conſtables, Bailiffs, and all others, (that will) appear at the next County Court, to aſſeſs the ſame wages at

which

which last County the Sheriff, and the other Officers shall be present in proper person, in pain that every one that makes default shall forfeit 40 *s.* and then the Sheriff shall in full County, assess every Hundred by it self, and every Town in each Hundred by it self; so as the sum assessed upon all the Hundreds exceeds not the entire charge of the County; nor that assessed upon all the Towns in each Hundred exceeds not the sum charged upon the Hundred in which they be.

XIX. The Sheriff, or other Officer, which levies more then is so assessed, shall forfeit 20 l. to the King, and 10 l. to the Prosecutor; for the recovery of which 10 l. the said prosecutor shall have a *Scire facia*, and if the Defendant make default, or appear, and is afterward convict, he shall recover the said 10 l. to his own use, (over and above the said 20 l.) and besides treble damages for his costs of suit.

XX. The Sheriff shall levy the said Assessments as speedily as may be, after they are so assessed, and shall deliver them to the Knights.

XXI. Justices of both Benches, Justices of Assize, Goal-delivery and Peace, have power to hear and determine these abuses, as well at the suit of the King, as of the party.

XXII. This Assessment shall not be levied, but only in places where it hath been formerly levied, and hereafter in every Writ for the levying of such wages, this Act shall be inserted.

XXIII. **Stat.** 23 H. 6. 15. The Statutes of 1 H. 5. 1. and 8 H. 6. 7. shall be kept in all points.

XXIV. The Sheriff, after the receipt of the Writ, shall deliver a precept under his Seal to every Mayor and Bailiff, or Bailiffs, or Bailiff (where no Mayor is) of the Cities and Burroughs within his County, reciting the Writ, and commanding them, if it be a City, to choose by Citizens of the same City, Citizens; and if a Burrough, Burgesses, to come to the Parliament; And such head-Officers shall lawfully return such precept to the same Sheriff by Indenture betwixt them of such Elections, and of the names of the Citizens and Burgesses so chosen, and thereupon the Sheriff shall make a good return of every such Writ, and also of every such return made by the said Head-Officers.

XXV. If the Sheriff aforesaid do contrary to this Act, or any other formerly made for the election of Knights, Citizens, and Burgesses, the Sheriff shall incur the pain contained in the said *Stat.* of 8. H. 6. 7. and besides, shall forfeit to the person so chosen, and not duly returned, 100 l. more, to be recovered by action of debt by the said person so chosen against the said Sheriff, his Executors and Administrators,

miniſtrators, or (in his default) by any other proſecutor, in which Action, no Eſſoin, &c. ſhall be allowed: And if ſuch Head-Officers ſhall make a falſe return, they ſhall forfeit 40 l. to the King, and 40 l. more to the perſon ſo choſen and not returned, to be recovered by ſuch perſon, or other proſecutor, in manner aforeſaid.

XXVI. The Sheriff that maketh not due election of Knights, betwixt the hours of 8 and 11 in the forenoon, and a good true return in manner aforeſaid, ſhall incur the pain of 100 l. to the King, and as much to any that will ſue for the ſame.

XXVII. The party grieved ſhall commence his Action within three moneths after the beginning of the Parliament, and (in his default) the proſecutor may then take it.

XXVIII. If any Knight, Citizens, or Burgeſs returned by the Sheriff be put out, and another put in his place, the perſon ſo put in (if he take the place upon him) ſhall forfeit 100 l. to the King, and as much to the perſon ſo put out, who ſhall have an Action of debt for the ſame, if he commence his Suit within three months after the beginning of the Parliament.

XXIX. The Knights of the Shires ſhall be notable knights of the ſame County for which they are choſen, or elſe notable Eſquires, or Gentlemen born in the ſame Counties, and ſuch as are able to be knights; but none ſhall be ſuch a knight, which ſtandeth in the degree of a Yeoman, or under.

XXX. **Stat.** 6 H. 8. 16. No Knight, Citizen, Burgeſs, or Baron of any of the Cinque-ports ſhall depart from the Parliament without the licence of the Speaker and Commons in Parliament aſſembled, to be entred upon Record in the Clerk of the Parliaments Book, in pain to loſe their wages.

XXXI. **Stat.** 33 H. 8. 21. The Kings Royal aſſent by his Letters Pattents under the Great Seal, and ſigned by his hand, and notified in his abſence to the Lords and Commons aſſembled in the Upper Houſe, is, and ever was, of as good ſtrength and force, as if the King were perſonally preſent, and had publickly aſſented thereunto.

XXXII. **Stat.** 35 H. 8. 11. Whereas Knights and Burgeſſes of Parliament in *England* and *Wales* have uſed to have allowed them, *viz.* the Knights 4 s. and the Burgeſſes 2 s. a day, or more during the Parliament, and their reaſonable time of comming to, and returning from the Parliament, together with their coſts of Writs, and other ordinary fees and charges, by this Statute it is ordained, that the Sheriffs of all the 12 Shires in *Wales*, and the County of *Monmouth* ſhall have power to levy the ſaid fees of the Inhabitants of thoſe Shires and Counties, and ſhall pay them to the

Knights

Knights within two Moneths after the ſaid Knights ſhall have delivered unto them their Writs *de ſolutione feodi Militis Parliamenti*, in pain to forfeit 20 l. to be recovered by bill, plaint, &c. and to be divided betwixt the King and the proſecutor; and for every month that ſuch default is made, after the ſaid two moneths, 20 l. more, to be levied as aforeſaid. The Head-officers alſo of the Cities and Burroughs in the ſaid twelve Shires and County, ſhall levy and pay their Burgeſſes wages and fees within the like time, after the writs *De ſolutione feodi Burgenſ. Parliam.* delivered unto them upon the like pains, to be levied of the goods and chattels of ſuch Head-officers.

XXXIII. The Inhabitants of the Cities and Boroughs in the ſaid Shires and County, which having no Burgeſſes of their own, uſe to contribute towards the wages of the Burgeſſes of the Shire-Towns, ſhall have warning by Proclamation, or otherwiſe, from the Head-officers of the ſaid Towns, to come and give their voices at the electing of the Burgeſſes of ſuch Shire-Towns.

XXXIV. Two Juſtices of Peace in each of the ſaid Shires and County, have power to tax every City and Burrough in the ſeveral Counties where they inhabit reſpectively, towards the wages of the Burgeſſes within the Shire-Towns which taxes ſhall be again rated upon the Inhabitants of each ſuch City and Burrough by four or ſix diſcreet and ſubſtantial Burgeſſes there, and then levied and paid by the Head-officers unto the Burgeſſes of Parliament for the ſaid Shire-Towns, in manner and form aforeſaid, and upon the like pains.

XXXV. **Stat.** 12 Car. 2. cap. 1. The Parliament begun the 3. of *Nov.* 16 *Car.* 1. declared to be diſſolved: And the Lords and Commons now ſitting, declared to be the two houſes of Parliament,

XXXVI. The Parliament begun at *Weſtm.* 3. of *Nov.* 1640. declared to be Diſſolved, and that there is, nor can be any legiſlative power in either, or both Houſes of Parliament, without the King.

XXXVII. Tumultuous and diſorderly preparing Petitions, Remonſtrances to the King and Houſes of Parliament, having been a great occaſion of the late Wars and calamities; *It is Enacted*, That no perſon hereafter ſhall ſollicite or procure any Petition, complaint, Remonſtrance, Declaration, or other addreſs to the King, or both, or either Houſes of Parliament, for altering of matters eſtabliſhed by Law in Church or State, unleſs the matter thereof have been firſt conſented unto, and ordered by three or more Juſtices of the County, or by the major part of the Grand Jury

of

of the County, or Diviſion of the County where the ſame matter ſhall ariſe at the publick Aſſizes, or general Quarter-Seſſions; Or if in *London*, by the Lord Mayor, Aldermen and Commons in Councel Aſſembled.

XXXVIII. Provided, this Act be not intended to hinder any perſons not exceeding 10 in number, to preſent any publick or private grievance or complaint to any Members, after election, and during continuance of the Parliament: or to the King for remedy therein; nor to any addreſs to the King by all or any the Members of Parliament, during their ſitting.

XXXIX. **Stat.** 16 *Car.* 2. cap. 1. The Act in 16 *Car.* 1. Entituled, *An Act for preventing of Inconveniencies happning by long interm iſſions of Parliament*; Being in derogation of his Majeſties juſt Rights and Prerogative inherent to the Crown, for calling and aſſembling Parliaments, Repealed: And declared, That Parliaments ſhall not be intermitted, or diſcontinued above three years at the moſt, and to be aſſembled and called oftner if need require.

Parſon, Vicar, and Parſonage.

I. **Stat.** 14 E. 3. *Stat.* 1. 17. Parſons, Vicars, Wardens of Chappels, and Provoſt-Wardens, and Prieſts of perpetual Chanteries, ſhall have their Writs of *Juris utrum*, of lands and tenements, rents and poſſeſſions, annexed and given perpetually in Almes to Vicarages, Chappels, or Chanteries, and recover by other Writs in their caſe, as far forth as Parſons of Churches and Prebends.

Partitions, and Parceners.

I. **Statutum Hiberniæ**, 14 H. 3. If land deſcend to ſeveral Coparceners, they ſhall all hold of the chief Lord of the Fee, and not one of another: This is the uſage in *England*, and ſhall alſo be obſerved in *Ireland*.

II. **Prerog. Reg.** 5. 17. E. 2. If one inheritanee, that is holden of the ing in chief, deſcend to many Parceners, all the heirs ſhall do homage to the King, and that Inheritance ſhall be divided amongſt thoſe Heirs, ſo that every of them after, ſhall hold their part of the King.

III. **Stat.** 31 H. 8. 1. Joynt-tenants, and tenants in common of any inheritance, in their own right, or in the right of their wives in any Mannors, Lands, Tenements, or Hereditaments, may be compelled

pelled to make Partition by Writ, *De partitione facienda*, as Coparceners are compellable to do, and this Writ ſhall be purſued at the common Law.

IV. Provided, that after ſuch Partition made, they ſhall have aid one of another, and of their heirs to deraign warranty, and to recover for the rate as Coparceners uſe to have.

V. **Stat.** 32. H. 8.32. Joynt-tenants, and Tenants in common, that have inheritance, or free-hold in any Mannors, Lands, Tenements, or Hereditaments ſhall alſo be compellable to make partition by the ſaid Writ to be purſued upon their caſe. Howbeit, ſuch partition ſhall not be prejudicial to any, but the parties to ſuch partition, their Executors and Aſſigns.

Paſſage and Arrivage.

I. **Stat.** 8. H. *6.* 27. Any of the inhabitants of *Tewkſbury*, *in Com. Glouceſtr.* may have an action of debt (according to the Stat. of *Wincheſter*) to recover againſt the communalty of the Foreſt of *Dean*, and Hundred of *Bledisſow* and *Weſtbury* (though no Communalty) recompence for robberies and wrongs done them upon *Severn*: Alſo the goods of any private perſon may be taken upon an Execution awarded againſt the Communalty; Any perſon may arreſt and impriſon the offenders, and he whoſe goods are taken in execution, may have an action of treſpaſs or debt againſt the offender.

II. **Stat.** 9 H.6.5. All perſons ſhall have free paſſage in *Severn* with Flotes and Drags, and all other Merchandize goods and chattels, and if any be diſturbed he ſhall have his remedy by action at the common Law.

III. **Stat.** 19. H. 7. 18. Another ſtricter Statute for the free paſſage of *Severn*: See *the Statute at large.*

IV. **Stat.** 23 H. 8. 12. None ſhall interrupt the paſſage upon the banks of *Severn*: or take, or ask any tax or toll for the ſame, in pain of 40 *s.* to be divided betwixt the King and the party grieved.

V. **Stat.** 26 H. 8. 5. Juſtices of Peace in the Counties of *Gloceſter* and *Sommerſet* in *Seſſions*, ſhall bind Keepers of Ferriers over *Severn*, by Recognizance with good Sureties, that they ſhall not tranſport any paſſenger or cattel out of *England* into *Wales*, or the Forreſt of *Dean*, or from either of thoſe places into *England*, before Sun-riſing, or after Sun-ſet, unleſs ſuch as they know and will anſwer for; And beſides, the parties ſo offending, ſhall thereby incur fine and impriſonment.

Stat.

VI. Stat. 2. and 3. P.M. 16. At the firſt Court of Aldermen in *London*, next after the firſt of *March*, out of the Watermen, betwixt *Graveſend* and *Win ſor*, there ſhall be 8. choſen for Overſeers, which ſhall have power to keep good order amongſt the reſt.

VII. Two Water-men ſhall not carry any, but where one of them hath exerciſed that profeſſion two years before that time, and hath been allowed by the greater part of the ſaid Overſeers under the known Seal; in pain to be committed to one of the Counters by the ſaid Overſeers for one moneth, or for leſs time, as the offence ſhall deſerve.

VIII. No ſingle man, which is no houſholder, nor retained as an Apprentice, or as a ſervant for one year at leaſt, ſhall exerciſe that profeſſion, betwixt the places aforeſaid, in pain of like puniſhment.

IX. The Lord Mayor and Aldermen of *London*, and the Juſtices of Peace within the Counties adjoyning to the River of *Thames*, upon complaint of any two of the Overſeers, or of any Watermans Maſter, have power not onely to hear and determine any offences committed againſt this Act, and to enlarge any Waterman unjuſtly puniſhed by the ſaid Overſeers, but likewiſe to inflict puniſhment upon the Overſeers themſelves, in caſe they unjuſtly puniſh any perſon by colour of this Act.

X. A Wherry, that is not two foot and a half long, and 4 foot and an half broad in the Mid-ſhip, and ſufficient to carry two perſons on one ſide right, ſhall be forfeit; in which caſe the King and Queen ſhall have the one Moity, and the Informer the other.

XI. The Water-man, that withdraws himſelf in time of preſſing (it being proved by two witneſſes before the ſaid Mayor, Aldermen, or Juſtice, and two of the ſaid Overſeers) ſhall ſuffer a fortnights impriſonment, and ſhall be prohibited to row any more upon the *Thames* for a year and a day after.

XII. The Overſeers ſhall not onely call the Water-men before them, direct them and regiſter their names, but likewiſe examine their Boats before they be lanched, whether they have due proportion and goodneſs according to this Act.

XIII. If the Overſeers refuſe, or neglect their Office, they ſhall forfeit 5 *l.* whereof the King and Queen ſhall have the one Moity, and the informer the other.

XIV. The Court of Aldermen ſhall aſſeſs the fares of Watermen, which being ſubſcribed by two of the Privy Council (at leaſt) ſhall be ſet up in *Guild-Hall*, *Weſtminſter-Hall*, &c. And the Water-man that takes more then according to the Fare ſo aſſeſſed, ſhall

ſhall for every ſuch offence, ſuffer half a years impriſonment, and forfeit 40 *s.* to be divided, as before.

XV. **Stat.** 1. *Jac.* 16. No Water-man ſhall retain any ſervant or Apprentice, unleſs he himſelf hath been an Apprentice to a Water-man, by the ſpace of five years before, and not an Apprentice under the age of 18 years, or for leſs time then ſeven years, in pain to forfeit for every ſuch offence 10 *l.* to be divided betwixt the King and the proſecutor.

XVI. This Act ſhall not reſtain Water-mens Sonnes of convenient growth and ſtrength, and formerly trained up in rowing, but that they may be allowed to ſerve as Apprentices, and to carry paſſengers from place to place, at the age of 16 years.

XVII. The eight Overſeers ſhall yearly upon the firſt of *March*, and the firſt of *September*, cauſe openly to be read in their common Hall, all their Orders, made or to be made, in pain that every of them for every ſuch default, ſhall forfeit 20 nobles, to be divided betwixt the King and the proſecutor.

XVIII. **Stat.** 21 *Jac.* 32. The River of Thames ſhall be made Navigable for Barges, Boats, and Lighters, from the Village of *Bercot*, in the County of *Oxon*, unto the Univerſity and City of *Oxon*, See *the Statute at large*.

Patents.

I. **Prerog.** *Reg. Cap.* 65. 17. E. 2. The Kings gift or grant of Land or Manor, *cum pertinentiis*, conveyeth not Knights Fees, Advowſons, or Dowers, without expreſs words.

II. **Stat.** 11. R. 2. 8. All annuities, and other things given or granted by the King, his Father, or Grandfather with this Clauſe, *Quouſque pro ſtatu ſuo, aliter duxerimus ordinandum*, ſhall be void; if other things have been afterwards accepted by the Grantees thereof.

III. **Stat.** 1 H. 4. 6. To the intent that the King might not hereafter be deceived in his Grants, he is content (by the aſſent of the Lords Spiritual and Temporal, and at the requeſt of the Commons) to be hereafter concluded by the wiſe men of his Council in things touching the eſtate of him and his Realm, ſaving alwayes his liberty.

IV. In a Petition to the King for Lands, Annuities, Offices, &c. their value ſhall be therein expreſt; otherwiſe the Letters Patents thereupon had ſhall be void.

V. **Stat.** 18. H. 6. 1. All Letters Patents, which bear not date

date the day of the delivery of the Kings Warrant into the *Chancery*, ſhall be void.

VI. **Stat.** 6. H.8.15. If any make ſuit to the King for lands, offices, or other things formerly granted to any perſon during the Kings pleaſure, the firſt Patentee being ſtill in life, the laſt Grantee ſhall expreſs in his Petition or Patent, the former Patent, and the determination of his pleaſure concerning the ſame, otherwiſe the laſt grant ſhall be void.

VII. **Stat.** 34, 35. H.8.21. The King ſhall hold and enjoy all Honours, Manors, Lands, and other Hereditaments, which he hath obtained ſince the fourth of *February*, in the 27. year of his Reign, or ſhall hereafter obtain, within ſeven years next after the making of this Act, by bargain, exchange, or purchaſe: Notwithſtanding, any miſ-recitall, non-recitall, or not naming of the ſaid Honours, *&c.* or of the places where they lie, or of any part thereof, or any other matter or cauſe whatſoever.

VIII. The right of others is ſaved, ſave only for rents ſervices, and rents ſecks.

IX. All Letters, Patents and Grants, made by the King ſince the ſaid 4th of *February*, or which ſhall be hereafter made by him within 7 years next after the making of this Act, ſhall be good; Notwithſtanding in any miſ-naming miſ-recitall, non-recitall, not finding of Offices, miſ-recital, or non-recital of Leaſes, uncertainly miſcaſting, rating, or ſetting forth of the yearly values or rate of the things granted, or of the yearly Rents thereof, want of Attornment, and Livery of Seiſin, or the miſ-naming of the places where the things granted do lie, or of the Tenants or Farmers of them, or any of them.

X. Provided, that (notwithſtanding this Act) the Kings Grants of Offices, and their fees for keeping of Caſtles, Houſes, Parks, Chaſes, Forreſts or Block-houſes, ſhall be void, when the cauſe of exerciſing ſuch Offices is determined.

XI. Provided alſo, that this Act ſhall not extend to revive any Letters Patents, or any Office granted by the King, which have been made void by Authority of Parliament, Judgement, Decree, or otherwiſe.

XII. This Act ſhall not be prejudicial to any Letters Patents, Indentures, or Writings made after the ſaid 4th of *February*, and before the 28th of *April*, in the 28th year of the Kings Reign, or to any other Statute made for the corroboration of ſuch Letters Patents, Indentures or Writings.

XIII. **Stat.** 1. E.6.8, Such another Statute made for the con-

firm-

firmation of all Grants made and to be made by E. 6. from the 28th of *January*, in the first year of his Reign, and so during his life, with such provisoes and limitations, as in the former Act of 34, 35. of H. 8. are contained. *See the Statute.*

XIV. **Stat.** 7. E. 6. 3. A confirmation of the Kings Letters Patents, notwithstanding his non-age, or any Statute heretofore made for the reservation of Tenures, Rents, or Tenths.

XV. **Stat.** 4.5. P. M. 1. Another like Act made for the confirmation of all Grants made and to be made to, or by the Queen, or the King and Queen, from the first of *July*, in the first year of her Reign, and so during her life, with such provisoes and limitations, as in the said former Acts of H. 8. and E. 6. are contained.

XVI. **Stat.** 18. E. 2. Another like confirmation of all Grants made to, for, or by the Queen, or to be so made within 7 years next after the end of this Session, with like provisoes and limitations, as in the former Statutes.

XVII. **Stat.** 35 *El.* 3. All Abby-lands which came to the hands of H. 8. shall be adjudged to have been in his actual and lawful possession, notwithstanding any defect, want or insufficiency, of, or in any Surrender, Grant, or Conveyance thereof, or of any part thereof made to the said King, or any other matter or cause whatsoever, whereby he might have been entitled thereunto.

XVIII. All Letters Patents made by him (since the fourth of *February*, in the 25. year of her Reign) for the foundation of any Dean and Chapter, or Colledge, shall be adjudged good.

XIX. The right of all others (except of Abbots, Priors, &c.) is saved.

XX. **Stat.** 43. *El.* 1. All grants made to the Queen since the 8th of *February*, in the 27th year of his Reign (except by Ecclesiastical persons, or bodies politique, not having power or ability to make such grants) are confirmed.

XXI. The right of all others is saved, except of the parties and privies of such grants.

XXII. All grants made by the Queen to others, since the said time, as also all others, that should be made (by force of a Commission then on foot) before the end of this Session, or within one year after, shall be good.

XXIII. The Letters Patents of all such grants, shall be expounded most beneficial to the Patentees, any mis-naming, mis-recital, non-recital, &c. notwithstanding.

XXIV. This Act shall not extend to Letters Patents of Offi-

ces, nor of concealments, except such concealments onely, as are sold by Commissioners.

XXV. Neither shall this Act extend to make good any Letters Patents heretofore adjudged void by any Court of Record at *Westminster*, or by Act of Parliament; neither yet those of Monopolies, or for toleration of any offence prohibited by any penal Laws, nor of Lands, where there is an estate tail in the Queen, unless such estate be duly received.

XXVI. Here also the right of others is saved.

XXVII. **Stat.** 21 *Jac.* 25. The King nor any other claiming from, by, or under him, shall hereafter take advantage against the Kings Patentees or Tenants, for default of payment of Rent, or other duty to be performed; so as the rent be paid, or such duty performed before such advantage taken, or any Commission awarded to enquire, or other process shall be issued for such forfeiture.

XXVIII. **Stat.** 21 *Jac.* 29. All Leases made, and to be made by Prince *Charles*, of the Dutchie Lands of *Cornwall*, shall be good.

XXIX. Howbeit, they shall not be good, unless they be in possession, and granted only for 31 years, or 3 lives, or estates determinable upon 31 years, or 3 lives; and thereupon also the accustomable Rent for the greatest part of 20 years before, shall be reserved; and where no such Rent hath been payable, a reasonable Rent shall be reserved, not under the twentieth part of the clear yearly value, neither shall such Leases be dispunishable of waste.

XXX. All Covenants, and other agreements contained in such Leases, shall be good.

XXXI. The right of others (except of the King and Prince, and their Successors) is saved.

XXXII. 1 *Car.* 2. Such another Act for Leases to be made of the said Dutchie Lands within three years, with such Clauses and Provisoes, as in the Act of 21 *Jac.* 29.

Paving.

I. **Stat.** 24 H. 8. 11. The Street-way between *Charing-Cross* and *Strond-Cross*, shall be sufficiently paved at the charge of the owners of the Lands adjoyning to the same, and shall also be afterwards repaired by them, in pain to forfeit to the King, 12 *d.* for every yard square, not so paved and repaired, and 25 H. 8. for *Holborn* and *Southwark*.

Stat.

II. **Stat.** 32 H.8.17. All perſons having lands betwixt *Algate* and *White-Chappel* Church, or in *Chancery-Lane*, *Grays-Inn-Lane*, *Shoe-lane*, *Fetter-lane*, or the way betwixt *Holborn-bars*, and *High-Holborn*, as far as any houſes are there built, ſhall before the 24 of *June* 1542. ſufficiently pave ſo much of the Streets and Lanes aforeſaid, as are next adjoyning to their ſaid lands, and continue them in good repair, in pain to forfeit for every yard ſquare not ſo paved or repaired, 6 *d.*

III. The Mayor, Aldermen, and Juſtices in *London*, and the Juſtices of Peace in *Middleſex* have power, within their reſpective Juriſdictions, to enquire, hear, and determine in Seſſions, the defaults. And in caſe the ſaid Juſtices ſhall be found remiſs therein, they ſhall reſpectively forfeit 5 *l.*

IV. The Clerk of the Peace in *Middleſex*, ſhall duly eſtreat into the *Exchequer*, the Fines and forfeitures happening upon this Act, in pain of 5 *l.* to be divided betwixt the king and the proſecutor.

V. Any three Juſtices in *London*, whereof the Mayor is to be one, have power to ſet Fines upon ſuch as do not pave or repair any Street or Lane in *London*, or the liberties thereof, to be levied, by diſtreſs, plaint, or action, by the Chamberlain, to the uſe of the Mayor and Communalty of the ſaid City.

VI. The inhabitant paving his part in the ſaid Streets or Lanes, may defaulk ſo much of his rent from his leſſor, as the charge thereof ſhall amount unto, unleſs it be otherwiſe agreed betwixt them.

VII. **Stat.** 35 H.8.12. Another like Statute for the paving and repairing of *white-Croſs-Street*, *Cheſwel-ſtreet*, *Golding-Lane*, *Grub-ſtreet*, *Goſwel-ſtreet*, *Long-Lane*, Saint *Johns-ſtreet*, the ſtreets there, leading from the *Bars* to *Cow-Croſs*, *Water-lane* in *Fleet-ſtreet*, the ſtreets behind Saint *Clements-Church* without *Temple-Bar*, the way from the *Weſt-bars* in *Tothil-ſtreet* in *Weſtminſter* to the Weſt-end of *Petit-France*, the way without *Biſhops-gate* above *Shore-ditch Church*, *Strand-bridg*, and the way leading from thence towards *Temple-Bar*, and *Foskut-lane*, leading down to *Strand-bridg*: And (in this Act) the Juſtices of *Middleſex* have alſo power to ſet Fines upon the defaulters at their diſcretion.

VIII. **Stat.** 13 El. 23. Another Act of like nature for paving and keeping in repair the way without *Algate*, called the *Bars* without *Algate*; another, leading from the *Old-Cage*, there to the North-end of *Nightingal-lane*, and another between the ſaid *Old-Cage* and *Croſs-Mill* in the Pariſh of Saint *Mary*, the pain for default being 3 *s.* 4 *d.* to the Queen for every yard ſquare not ſo paved or repaired:

paired: This Act likewise provides for the scowring and cleansing of certain Ditches thereabouts.

IX. Stat 18 El. 19. An Act for the paving of *Chichester*.

X. Stat. 23 El. 12. Another Act for the paving of the *Minories*, being an additional Act, to 13 El. 23. And the Ditch in *Hog-lane*, shall be scowred and cleansed by the owners of the lands lying on the North-side of the said Lane, in pain to forfeit 6 s. 8 d. for every pole uncleansed: And by this Act, the Justices of Peace in *London* and *Middlesex* shall appoint Scavengers.

XI. Stat. 3 Jac. 22. Another Act for the paving and keeping in repair the street in St. *Giles* in the Fields, and *Drury-lane*.

Peace.

I. Stat. 2 E. 2. The Statute of *Winchester* and other Statutes made for the keeping of the Peace, shall be duly observed.

II. The Justices assigned shall have power to punish resisters of the Peace.

III. Stat. 2 R. 2. 2. Peace shall be kept, and Justice and Right duly administred to all persons: *See also the Statutes of* 1 H. 4. 1. 2 H. 4. and 1. 7 H. 4. 1. to the like effect.

Pensions, Portions, and Corodies.

I. Stat. 34, 35 H. 8. 19. Pensions, Portions, Corodies, Indempnities, Synodies, Proxies, and all other profits due out of Religious lands dissolved, shall be paid to Bishops, Arch-deacons, and other Ecclesiastical persons by the occupiers of the same lands, if such Ecclesiastical person were seised thereof within ten years before their dissolution: And if upon suits in the Ecclesiastical Court for the same the Defendant be convict, the Plaintiff shall recover the value thereof in damages, together with his costs of suit: The like he shall recover at the Common Law, when the cause is thereby determinable.

II. Provided, that if the King hath demised any of the said lands with a Covenant to discharge the tenant of such charges, that then the party claiming the same, shall sue for them in the Court of Augmentations, and not elsewhere.

Perjury.

I. Stat. 5 El. 9. None shall suborn a witness to give testimony

ny in any Court of Record concerning any lands, goods, debts, or damages, in pain of 40 *l.* and if the offender (being convicted thereof) hath not wherewithall to satisfie the said forfeiture, he shall suffer 6. moneths imprisonment without bail, stand upon the Pillory one whole hour in the same or next Market-town, where the offence was committed, and be for ever after, disabled to give testimony in any Court of Record, until the judgement given against him be reversed by Attaint, or otherwise.

II. He that commits wilful perjury, shall forfeit 20 *l.* suffer six moneths imprisonment without bail, and be ever after disabled to give evidence, until the judgement given against him be reversed, as aforesaid: and here also if he hath not wherewithall to discharge the fine, (in the Countrey) the Sheriff, or (in a Corporation) the Head Officer shall cause him to be set upon the Pillory in some Market-place, and to have both his ears nailed.

III. The forfeitures abovesaid shall be divided betwixt the Queen and the party grieved.

IV. Judges of the Courts, where such offences shall happen to be committed, Justices of Assize, Goal-delivery, and of Peace, have power to hear and determine the same offences.

V. This Act shall be proclaimed at every Assize.

VI. This Act shall not extend to any Court Ecclesiastical, but that they may there proceed, as in times past.

VII. This Act shall not restrain the power of the Star-chamber, nor of the Councils of *Wales*, or in the *North*, to punish heinous perjuries: But that they may proceed, as formerly, so as for the said offences they inflict no less punishment, then by this Statute is ordained.

☞Physicians and Surgeons.

* I. **Stat.** 3. H. 8. 11. None in *London*, or within seven miles thereof, shall exercise as a Physician or Surgeon, except first examined and admitted thereunto by the Bishop of *London*, or Dean of *Pauls*, calling to him or them for the first examination, four Doctors of Physick, and for Surgery, other expert persons in that faculty, and afterwards of them that so shall be approved, in pain to forfeit for every moneth they exercise Physick or Surgerie not so examined and admitted, 5 *l.* to be divided betwixt the King and the prosecutor.

II. In other places, without the said Precinct of seven miles, none shall exercise the said Professions, unless examined and approved by the Bishop of the Diocess, or (in his absence) by his Vicar general, calling to them expert men in those Professions, at their discretion,

and giving Letters teſtimonial under their Seal to him they ſhall ſo approve, upon the like pain, to be divided as aforeſaid.

III. This Act ſhall not extend to the Univerſities.

IV. Stat. 5. H. 8. 6. The Surgeons of *London* ſhall be exempt for bearing the Office of Conſtable, or any other Office; watching, bearing of Arms, or to ſerve upon Inqueſts in *London*, ſo that their incorporation exceed not the number of 12.

V. This Act ſhall alſo extend to Barber-Surgeons approved and admitted, according to the Statute of 3 H.8.11.

VI. Stat. 14. H.8.5. The Kings Charter for the Incorporating of the Colledge of Phyſicians in *London*, (bearing date the 13. of *September*, in the tenth year of his Reign) is confirmed; the ſubſtance whereof is, as followeth

VII. A perpetual Colledge of Phyſicions, is granted and erected in *London*, and within ſeven miles compaſs of the ſame, who ſhall have power to chuſe yearly a Preſident for the better government of the ſame, and ſhall alſo have perpetual ſucceſſion, a common Seal, and ability to purchaſe Lands, not exceeding 12 *l. per annum*: They may ſue, and be ſued; make Ordinances for the good Government of the Colledge, and of all others that practiſe Phyſick within the ſaid limits. Neither ſhall any practiſe Phyſick within that Circuit, unleſs approved under the Seal of that Colledge, in pain of 5 *l.* to be divided betwixt the King and the ſame Colledge. Likewiſe, four Phyſicians of *London* ſhall be yearly choſen to ſuperviſe the reſt; as alſo their Medicines and Receipts, ſo that ſuch as offend may be puniſhed by fines, amerciaments, inpriſonment, or other due means. Laſtly, Phyſicians ſhall not be put upon Inqueſts in *London*, or elſewhere: Howbeit, theſe Letters Patents ſhall not be prejudicial to the City of *London*, nor the Liberties thereof.

VIII. There ſhall be eight of the Colledge called *Elects*, who from amongſt themſelves ſhall yearly chuſe a Preſident, and as any of the *Elects* fail, (by death, or otherwiſe) others ſhall be choſen in their places, by the ſurvivers of the ſame *Elects*.

IX. None ſhall practiſe Phyſick in the Countrey, without a teſtimonial of his ſufficiency from the Preſident, and three of the *Elects* of the ſaid Colledge, unleſs he be a Graduate in one of the Univerſities.

X. Stat. 32. H. 8. 40. Phyſicians are diſcharged from keeping Watch or Ward, or bearing the Office of Conſtable, or any other Office within the City of *London*, or the Suburbs thereof.

XI. Four Phyſicians ſhall be yearly choſen by the Colledge, and ſhall have an Oath given them by the Preſident, to ſearch Apothecaries Wares, and if they ſhall find any of them faulty, ſhall call to them

them the Wardens of the Myſtery of Apothecaries in *London*, and cauſe them to be burnt, or otherwiſe deſtroyed.

XII. No Apothecary ſhall reſiſt their ſearch, in pain of 5 *l.* to be divided betwixt the King and the proſecutor.

XIII. If any of the Phyſicians ſo choſen, refuſe to take his Oath, or (after being ſworn) refuſe to make ſearch once in a year, he ſhall forfeit 40 *s.*

XIV. Any of the Company of Phyſicians in *London*, may alſo practice Surgery.

XV. Stat. 32. H. 8. 42. The Barbars and Surgeons of *London*, are made one Company, and incorporated by the name of the Maſters and Governours of the Myſtery and Communalty of Barbers and Surgeons of *London*, and by that name ſhall ſue and be ſued, purchaſe Lands, uſe a common Seal, and poſſeſs the Lands, which now the Communalty of Barbers of *London* do enjoy; as alſo all liberties and priviledges heretofore granted to either of the ſaid Companies by E. 4. H. 7. or this preſent King: Alſo ſuch of them as are admitted to the practice of Surgery, ſhall be exempt from bearing of Arms, Watches and Inqueſts: This Company ſhall likewiſe have the ſearch, overſight, puniſhment and correction of offences committed againſt Barbery or Surgery, according to the Statute of 19. H. 7. 7. *which ſee in Corporations*: yet, here the right of all others to their Lands is ſaved.

XVI. The Surgeons may take yearly four condemned perſons for Anatomies, without any ſuit to the King, or other interruption for the ſame.

XVII. No Barber in *London*, and within a miles compaſs thereof ſhall uſe Surgery; Neither ſhall any Surgeon there uſe Barbery or ſhaving.

XVIII. Every Surgeon in *London* ſhall have a Sign at his door.

XIX. None ſhall be a Barber in *London*, but a Free-man of that Company.

XX. At the times heretofore accuſtomed, there ſhall be four Maſters, or Governours of this Corporation choſen, *viz.* two Surgeons, and two Barbers, who ſhall have the ſearch, overſight, puniſhment, and Correction of all defaults and inconveniencies in either of thoſe Profeſſions within the Circuit aforeſaid.

XXI. The Barber or Surgeon offending in any of the Articles, ſhall for every moneth ſo offending, forfeit 5 *l.* to be divided betwixt the King and the proſecutor.

XXII. Howbeit, the Surgeons and Barbers in *London*, ſhall pay Scot and Lot, as in former times. And any perſon may keep a Barber,

or Surgeon in his Houſe, as his Servant, notwithſtanding this Statute.

XXIII. **Stat.** 34, 35. H. 8. 8. It ſhall be lawful for any perſon, having knowledge and experience of the nature of Herbs, Roots, and Waters, to practiſe and miniſter to any outward Sore, Uncom, Wound, Apoſtumation, outward ſwelling or diſeaſe, any Herb or Herbs, Ointment, Bathes, Poultes, and emplaſters, according to their knowledge of the ſaid Maladies or the like; as alſo drinks for the Stone, Strangury, or Agues, without ſuit, penalty, or loſs, the Statute of 3 H. 8. 11. or any other Statute notwithſtanding.

XXIV. **Stat.** 1. M. *Parl.* 1. *Seſſ.* 2. *Cap.* 9. The Statute of 14 H. 8. 5. is confirmed.

XXV. When the Preſident or Communalty of the Faculty of Phyſick in *London*, or others authorized (by 14 H. 8. 5.) to ſearch and puniſh offenders, ſhall ſend or commit any ſuch offender to any Priſon (except the *Tower*) the Warden, Goaler, or Keeper thereof ſhall receive, and there ſafely keep ſuch offender without bail, until he ſhall be thence diſcharged by the ſaid Preſident, or others authorized, as aforeſaid, in pain to forfeit double the penalty of the offender, to be recovered by action of debt, and divided betwixt the Queen and the ſaid Preſident and Colledge.

XXVI. If the Wardens of the Apothecaries (*in this Statute, called the Wardens of the Grocers*) or one of them, do not immediately upon call, go with the Preſident, or four of the *Elects* (appointed to ſearch the Apothecaries wares, according to the Statute of 32 H. 8. 40.) the ſaid Preſident, or four *Elects*, ſhall do it without them, as alſo deſtroy ſuch wares as they ſhall find faulty: and none ſhall reſiſt ſuch ſearch, in pain of 10 *l.* to be recovered in form aforeſaid.

XXVII. Juſtices of Peace, Mayors, Sheriffs, Bailiffs, Conſtables, and other Officers, ſhall aſſiſt the ſaid Preſident, and all perſons authoriſed by the ſaid Colledge, for the due execution of the ſaid Laws and Statutes, in pain to run in contempt of the Queen, her heirs and Succeſſors.

☞ Plague.

* I. **Stat.** 1. *Jac.* 31. The Mayor, Bailiffs, Head-Officers, and Juſtices of Peace in a Corporation: or any two of them have power to tax the Inhabitants there towards the relief of ſuch as are infected with the plague, and to make warrant under their Hands and Seals, for any perſon to levy the ſaid Tax, upon the goods of ſuch as ſhall refuſe or neglect to pay the ſame; And in caſe no goods can be found

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to satisfie the Tax (upon the parties refusal thereof) to commit him to prison, there to remain until the Tax be satisfied.

II. If the Corporation be not able to relieve the persons infected, upon Certificate thereof to the Justices of Peace of the County thereunto adjoyning, or any two of them, by the said Officers and Justices of the Town, or any two of them, the said Justices of the County shall have like power to tax, levy, and imprison, as aforesaid, within five miles distance of the said Corporation.

III. In Towns and places Corporate, where there are no Justices, and in the Countrey, two Justices of Peace of the County shall tax, levy, and imprison, as aforesaid, within five miles distance of the Town or place so infected.

IV. These Taxes shall be certified in at the next Quarter-Sessions of the Corporation or County respectively, and shall there be ordered, as by the Justices there, or the more part of them shall be thought fit.

V. The Constable, or other Officer, which wilfully neglects to levy the Tax upon a Warrant, as aforesaid, shall forfeit for every such default, 10 *s.* to be imployed upon the charitable uses aforesaid.

VI. If any infected person residing in an infected house (after commanded by a Justice or other Officer) presume to come forth, the Watch-men may resist him, and if any hurt happen thereupon, the Watch-men shall not be impeached therefore.

VII. If any person having a sore upon him go abroad, and converse in Company, he shall suffer as a Felon; but if he have no sore, he shall be onely punished as a vagabond, according to the Statute of 39 *El.* 4. *which see in Vagabonds.*

VIII. No Attainder of Felony by vertue of this Act, shall extend to corruption of blood, or forfeiture of goods or lands.

IX. It shall be lawful for the Justices of peace, and Head-Officers, to appoint searchers, watch-men, examiners, keepers and buriers, and to minister unto them Oaths for the due performance of their Offices, and to give them other directions, as in their discretion shall be thought fit.

X. Justices of peace, or head-officers, shall not (by force of this Act) meddle in the Universities, Cathedral Churches, or Colledges.

☞ Playes and Games.

* I. Stat. 33 H. 8. 9. Parents and Masters shall provide for each of their sons and male-servants, (betwixt the age of 7 and 17)

a bow, and two ſhafts, and cauſe them to exerciſe ſhooting, in pain of 6 s. 8 d.

II. Sons and male-ſervants (betwixt the ages of 17 and 60) ſhall be furniſhed with a Bow and two Arrows, and practiſe ſhooting therewith, in pain of 6 s. 8 d.

III. None under the age of 24 years, ſhall ſhoot at any ſtanding mark, (except at rovers, changing his mark every ſhoot) in pain of 4 d. a ſhoot, and none above that age, ſhall ſhoot at any mark of 11 ſcore diſtance, or under, in pain of 6 s. 8 d. a ſhoot.

IV. None under the age of 17 years, ſhall ſhoot with a Bow of *Ewe*, except his parents be worth 10 l. *per annum* in lands, or 40 marks in goods, in pain of 6 s. 8 d.

V. The inhabitants of every Town, ſhall continue their Butt in good repair, in pain of 20 s. for every 5 moneths default.

VI. For every Bow made of *Ewe*, the Bowyer not inhabiting *London*, or the Suburbs thereof, ſhall make four; and the inhabitant there, two Bows of other wood, in pain to forfeit for every ſuch Bow un-made, 3 s. 4 d.

VII. Fletchers of *London*, ſhall ſell ſeaſonable Timber to forreign Fletchers without prejudice.

VIII. Artificers of Archery (not freemen, nor paying ſcot and lot) ſhall remove their abode from *London*, and the Suburbs thereof, to what other place they ſhall be aſſigned by his Majeſties Council, the Lord Chancellor, Treaſurer, Privy Seal, or one of them, in pain of 40 s. for every day they make their abode contrary to this Act.

IX. Aliens ſhall not convey Bows and Arrows out of the Realm without his Majeſties licenſe, in pain of impriſonment without bail, untill they ſhall make fine to the King, to be ſet by (at leaſt) two Juſtices in Seſſions, and give ſecurity for the ſame; neither ſhall they uſe ſhooting, in pain to forfeit their Bows and Arrows to be taken from them by any of the Kings Subjects.

X. Juſtices of Aſſiſe, Goal-delivery, and Peace, in Seſſions, and Stewards in Leets, ſhall hear and determine the breaches of this Act.

XI. The one Moitie of all theſe forfeitures is given to the proſecutor, and the other, where there is no Leet, is given to the King; and where there is a Leet, to the Lord of that Leet.

XII. None ſhall keep or maintain any houſe or place of unlawful Games, in pain of 40 s. and none ſhall uſe or haunt ſuch places, in pain of 6 s. 8 d.

XIII. In every Placard to keep common Gaming, the Games here to be uſed, ſhall be inſerted; as alſo the perſons, who ſhall play thereat, and every Placard otherwiſe granted, ſhall be void: The

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Grantee alſo of ſuch a Placard ſhall be bound by Recognizance in the *Chancery* with good ſureties, not to uſe it contrary to the form thereof.

XIV. It ſhall be lawful for Juſtices of Peace in every County, and for Head officers in Corporations, as well within the Liberties as without, to enter and reſort into all ſuch houſes and places where ſuch unlawful Games are ſuſpected to be uſed, and as well the keepersthereof, as the reſorters thereunto, to arreſt and impriſon, untill they ſhall ſeverally give good ſecurity, at the diſcretion of the ſaid Juſtices or Officer, nor to keep ſuch Games any more.

XV. Every Mayor, Sheriff, Bailiff, Conſtable, and other Head-officer within every City, Burrough or Town ſhall make due ſearch, as aforeſaid, once every moneth, at leaſt, in pain to forfeit 48 *s.* for every ſuch default.

XVI. No Artificer, or his Journey-man, no Husband-man, Apprentice, Labourer, Servant at Husbandry, Mariner, Fiſhermen, Water-men, or Serving-man, ſhall play at Tables, Tenis, Dice, Cards, Bowls, Claſh, Coyting, Logating, or any other unlawful Game out of *Chriſtmas*, or then out of their Maſters houſe, or preſence, in pain of 20 *s.* And none ſhall play at Bowls in open places out of his Garden or Orchard, in pain of 6 *s.* 8 *d.*

XVII. All informations or ſuits upon this Statute ſhall be proſecuted within one year, and the forfeitures thereof, which happen within a Leet or Liberty, ſhall be divided betwixt the King and the Lord thereof, and in all other places, betwixt the King and the proſecutor.

XVIII. Proclamation of this Act ſhall be made Quarterly in every Market Town, as alſo at every Goal-delivery, Aſſize and Seſſion.

XIX. This Act ſhall not reſtrain a ſervant (by his Maſters licenſe) to play at Cards, Dice, or Tables, with the Maſter himſelf, or other Gentlemen reſorting to his maſters houſe: And if the Maſter hath free-hold of 100 *l. per annum*, he may alſo licenſe his ſervant to play at Bowls or Tenis.

XX. **Stat.** 2. 3. *P. M.* 9. All Licenſes to keep houſes or places of unlawful Games ſhall be void.

XXI. **Stat.** 16 *Car.* 2. ca. 5. If any perſon of what degree or quality ſoever after the 29th of *Sept.* 1664. ſhall by any fraud, ſhift, couſenage, circumvention, deceit, or unlawful device, or ill practice whatſoever, in playing at or with Cards, Dice, Tables, Tennis, Bowls, Kittles, Shovel-board; or in or by Cock-fightings, Horſe-races, Dog-matches, or Foot-races, or other Paſtimes, Game or

Games

Games whatſoever, or in or by bearing a ſhare or part in the ſtakes, wagers, or adventures; or by betting on the ſides, or hands of ſuch as do, or ſhall play, act, ride, or run as aforeſaid, win, obtain, or acquire to him or themſelves, or to any other or others, any ſum or ſums of money or other valuable thing or things whatſoever, every perſon ſo offending, ſhall forfeit the treble value of the money or things ſo won, gained, obtained, or required: One moity to the King, the other moity to the perſon grieved, or who ſhall loſe the ſame: ſo as ſuch perſon proſecute within ſix months next after ſuch play. And in default of ſuch proſecution, then the ſame other moity, to ſuch other perſon as ſhall proſecute within one year next after the ſaid ſix moneths expired: And every ſuch Plaintiff or Informer ſhall alſo recover treble Coſts againſt the perſon offending as aforeſaid.

And for avoiding exceſſive and immoderate playing and gaming, If any perſon ſhall after the ſaid 29. *Sept.* 1664. play at any of the ſaid games, or any other paſtime or game whatſoever, (other then for ready money) or ſhall bett on the ſides or hands of ſuch as do, or ſhall play thereat, and ſhall loſe any ſum of money, or other thing or things ſo playd for exceeding the ſum of 100 l. at any one time or meeting, upon ticket, or credit, or otherwiſe, and ſhall not pay down the ſame, at the time when he or they ſhall loſe the ſame, the party or parties, who loſeth or ſhall loſe the ſaid moneys, or other thing ſo plaid for, above the ſaid ſum of 100 l. ſhall not be bound or compelled or compellable to pay or make good the ſame: but all contracts, ſecurities and aſſurances for the ſame ſhall be void. And the perſon ſo winning the ſaid moneys, or other things, ſhall forfeit treble the value of all ſuch ſums of money, or other things ſo won, gained, obtained or acquired, above the ſaid ſum of 100 l. the one moity to the King, the other to the party that ſhall ſue for the ſame within one year next after the offence committed, in any Court of *Weſtminſter*, and treble Coſts.

☞ Players.

1. **Stat.** 3 *Jac.* 21. None ſhall in any Stage-play, Shew, May-game or Pageant, profanely uſe the Name of God, Chriſt Jeſus, the Holy Ghoſt, or Trinity, in pain of 10 *l.* to be divided betwixt the King and the proſecutor.

Pleading and Pleaders.

I. Stat. 36 E. 3. 15. All pleas which shall be pleaded in any Court whatsoever within the Realm, shall be pleaded, shewed, defended, answered, debated, and judged in the *English* tongue, but entred and enrolled in Latine: Howbeit, the Laws and customs of this Realm; as also the Terms and Processes shall be holden and kept, as before this time hath been used.

☞ Pleas of the Crown.

I. Magna Carta, 17. 9 H. 3. No Sheriff, Constable, Escheator, Coroner, or any other of our Bailiffs, shall hold pleas of the Crown.

Plumstead-Marsh.

I. Divers Statutes have been made for the Inning and saving of *Plumstead*-Marsh, *viz.* 22 H. 8. 3. 14 *Eliz.* not printed, 23 *El.* 13, and 27 *El.* 27. *See them at large.*

☞ Poor People.

I. Stat. 11 H. 7. 12. Every poor person, having cause of action, shall have original Writs, and *Subpœnaes gratis*; also the Judge or Judges of the Court where the suit depends, shall assign him Council and Attorney, who are thereby enjoyned to dispatch his business without fees.

II. Stat. 43 *El.* 2. The Church-wardens of every Parish, and four, three, or two housholders there (according to the greatness of the Parish) to be nominated yearly in *Easter-week*, or within one moneth after, under the hands and seals of two Justices of Peace (*i. Qu.*) shall be called Overseers of the poor for the same Parish.

☞ III. These Overseers or a greater part of them, shall take order (with the consent of two such Justices) for the setting of poor people to work, and for raising (by taxation) a convenient stock to work upon, to relieve impotent persons, to put forth Apprentices, and to perform all other things concerning the premises.

IV. These Officers, or such of them as shall not be let by some just excuse (to be allowed by two such Justices) shall meet moneth-

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ly in the Church upon Sunday after Evening-prayer, and there conſider of ſome meet direction in the premiſes; and ſhall within four dayes after the end of their year, and other Overſeers nominated, yield up a true accompt to ſuch two Juſtices, pay the ſurpluſage thereof to their ſucceſſors, and uſe all poſſible diligence in their Office, in pain to forfeit for every ſuch default, 20 s.

V. Where the Inhabitants of any Pariſh are not able to relieve themſelves, two ſuch Juſtices may tax other Pariſhes and places, and the whole Hundred alſo (if need require) and where the whole Hundred is not able, Juſtices of Peace in Seſſions may tax the County in part, or wholly, at their diſcretions.

VI. It ſhall be lawful for the ſaid Officers upon warrant from two ſuch Juſtices, to levy ſuch tax or ſurpluſage by diſtreſs and ſale of goods, and in default of diſtreſs, two of the ſaid Juſtices have power to commit the party to priſon, there to remain without bail, until it be diſcharged, and alſo to commit perſons, which refuſe to work, to the Houſe of correction.

VII. The ſaid Officers, or the greater part of them, with the aſſent of two Juſtices of Peace, may bind poor children Apprentices, viz. a man-child till 24 years of age, and a woman-child till 21. years, or marriage.

VIII. The ſaid Officers ſhall (with the conſent of the Lord of the Mannor firſt obtained in writing under his hand and ſeal) either of themſelves, or by vertue of a Seſſions-order erect Cottages upon the waſte, and lodge In-mates therein, notwithſtanding the Statute of 31 *El.* 7. But thoſe Cottages ſhall not be afterwards otherwiſe employed then to lodge impotent perſons therein, upon the paine mencioned in the ſaid Statute of 31. *El.*

IX. Juſtices of Peace in Seſſions, ſhall rectifie unjuſt taxes, whoſe order therein, ſhall be binding to all party.

X. The Father, Grandfather, Mother, Grandmother, and children of every poor perſon, ſhall be aſſeſſed towards their relief, as the Juſtices of Peace in Seſſions of the County where ſuch Father, *&c.* dwells, ſhall limit and appoint, in pain to forfeit 20 s. a moneth.

XI. Officers in Corporate Towns, and Aldermen of *London*, have in their ſeveral Precincts like authority that Juſtices of Peace have in the Counties, which ſaid Juſtices are not to intermeddle in Corporations for the execution of this Law.

XII. When one Pariſh extends into ſeveral Counties or Liberties, the Juſtices or Head-Officers ſhall onely intermeddle within their reſpective limits; but the Churchwardens and Overſeers ſhall have

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mixt jurisdiction, and shall render accompt, (as aforesaid) to Justices or Head Officers of both places.

XIII. If it happen Overseers not to be appointed according to this Statute, every Justice of Peace or Head-Officer of that division or Corporation, shall forfeit 5 *l.* to be levied by a Sessions Warrant, and imployed to the use of the poor of the Parishes where such default is made.

XIV. The forfeiture of this Statute, shall be imployed to the use of the poor, and levied by distress and commitment, as aforesaid.

XV. Justices of Peace of every County and Corporation, or the most part of them, at *Easter* Session, shall yearly (or as often as they shall think fit) rate every Parish at a certain sum, to be paid weekly, but so as no Parish may pay more then six pence, nor less then a half penny, and (one Parish being considered with another) not above two pence, although the whole County or Corporation; which sum so rated, the Churchwardens and Constable of every Parish, or any of them (or in their default a Justice of Peace) have power to assess and levy by distress, sale, and commitment, as aforesaid.

XVI. Justices of Peace shall then likewise rate every Parish towards the relief of the Kings Bench and Marshalsey, and also of Hospitals and Almes-houses, scituate within their several jurisdictions, appointing onely so much to the said Hospitals and Almes-houses, that the Kings Bench and Marshalsey may each of them receive at least 20 *l.* yearly out of every County: And the sums thus to be assessed upon every Parish, the Churchwardens there shall collect and levy as before, and pay them over quarterly to the High Constable of their respective division, ten dayes before every Quarter-Sessions, and the High Constables shall every Quarter Sessions, pay the same over to the two Treasurers of the County, or one of them, to be yearly chosen by the more part of the Justices of Peace, out of such Subsidy-men as were taxed in the last tax of Subsidies at 5 *l.* lands, or 10 *l.* goods; Which Treasurers so chosen, shall yearly at *Easter-Session*, render a true accompt to their successors, and pay the moneys in their hands, to the Lord chief Justice of the Kings Bench, and the Knight-Marshall by equall portions. And here the Churchwarden, or his Executors, *&c.* which fails in payment to the High-Constable, shall forfeit 10 *s.* and he High-Constable, or his Executors, *&c.* which fails in payment to the Treasurers, shall forfeit 20 *s.* to be levied and imployed by the said Treasurers as aforesaid.

XVII. The Stock of every County shall be ordered and disposed

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to charitable uſes, as the Juſtices, or the more part of them ſhall think convenient.

XVIII. The Treaſurer that refuſeth to execute his Office, to diſtribute relief, or to accompt, as the moſt part of the Juſtices ſhall direct, ſhall be fined by the ſame Juſtices, or (in their default) by the Judges of Aſſize, three pounds at leaſt, which fine ſhall be levied by ſale of goods, upon the proſecution of any two Juſtices authoriſed by the reſt.

XIX. A proviſion for the Iſlands of *Fowlneſſe* in *Eſſex*.

XX. Upon an Action brought for the due execution of this Act, the Defendant may plead the general iſſue, and yet give ſpecial matter in evidence, and ſhall alſo recover treble damages, and his coſts of ſuit.

XXI. **Stat. 7. Jac. 3.** Money given to put out poor children Apprentices, ſhall be imployed in Corporate Towns by the Corporations, and in other places by the Parſon, or Vicar, together with the Conſtables, Churchwardens, and Overſeers of the poor, or the moſt part of them, who ſhall not forbear or refuſe to imploy the ſame accordingly, in pain to forfeit five Marks each of them ſo making default, to be divided betwixt the poor of the Pariſh and the proſecutor.

XXII. The party taking money with ſuch an Apprentice, ſhall give good Security by Obligation, to repay it at the end of ſeven years next enſuing the date of the ſaid Obligation, or within three moneths next after the end of the ſaid ſeven years; and if ſuch Apprentice ſhall die within the ſeven years, then within one year after his or her death; And if the Maſter, Miſtris, or Dame, happen to die within the ſeven years, then within one year after their death, ſo as the money may be employed in placing the Apprentice with ſome other of the ſame Trade, to ſerve out his time, at the diſcretion of the parties truſted, as aforeſaid.

XXIII. The money ſo given ſhall be employed within three moneths after the receipt thereof, and if there ſhall not be apt perſons found in the places where it is given, to be Apprentices, it ſhall be employed in the Pariſhes next adjoyning by the parties that are truſted with it in the places where it was ſo given, and there alſo Bond ſhall be taken, as before is declared.

XXIV. The choice of Apprentices ſhall be out of the pooreſt ſort of children, whoſe Parents are the leaſt able to relieve them, and no ſuch Apprentice ſhall be above the age of 15 years, when he or ſhe is firſt bound.

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XXV. The parties ſo truſted, ſhall yearly in *Eaſter*-week, or within one moneth after account before two or more of the next Juſtices of Peace. And if there be any Obligations, or money remaining in their hands, they ſhall upon ſuch account (or within ten dayes after) deliver the ſame unto their ſucceſſors.

XXVI. If any Officer ſo truſted, ſhall break the truſt repoſed in him, miſ-imploy the ſaid money, or do any thing contrary to this Act, for which he cannot be puniſhed by this Act, the Lord Chancellor or Keeper ſhall, upon the Petition of any perſon, award a Commiſſion to ſuch, as he ſhall think fit, to enquire, hear, and determine ſuch offences; and if the Commiſſioners ſhall find money ſo miſ-imployed, they ſhall, in places not Corporate, have power to rate, raiſe, and collect it upon the parties ſo offending; or otherwiſe, upon the able Inhabitants of the City, Town, or Pariſh ſo in default, as the ſaid Commiſſioners, or the greateſt part of them, ſhall think fit, and ſhall return the ſaid Commiſſion, together with the manner of executing the ſame, into the Chancery within three moneths next after ſuch execution thereof.

XXVII. **Stat.** 1 *Jac.* 25. All perſons, to whom the Overſeers of the poor (ſhall according to the Statute of 43 El. 2.) bind any poor children Apprentices, may take, receive, and keep them, as Apprentices: *See alſo the ſame continued and confirmed by* 21 Jac. 28. and 3 *Car.* 4.

XXVIII. **Stat.** 3 *Car.* 4. The aforeſaid Statute of 1 *Jac.* 25. is again continued and confirmed.

XXIX. The Churchwardens and Overſeers of the poor (mentioned in the Statute of 43 El. 2.) may with the conſent of two or more Juſtices of the Peace, one of the Quorum, within their reſpective limits, wherein there ſhall be more Juſtices of Peace then one, and where no more ſhall be then one, with the aſſent of that one Juſtice, ſet up, uſe, and occupy any Trade, Myſtery, or Occupation, only for the ſetting on work and better relief of the poor of the Pariſh or place where they ſo bear office reſpectively.

XXX. **Stat.** For Relief of poor Souldiers: *See Title Captains and Souldiers*, Numb. LXVII.

XXXI. **Stat.** 14 Car. 2. cap. 12. Upon complaint made by the Church-wardens, or Overſeers of the poor of any pariſh, to any Juſtice of the Peace within 40 dayes after any perſons, coming to ſettle in any Tenement under the yearly value of 10 l. Any two Juſtices of the Peace, whereof one of the Quorum, may by Warrant remove ſuch perſons to ſuch Pariſh where they were laſt ſetled, either as a Native, Houſholder, Sojourner, Apprentice, or Servant, for

the ſpace of 40 dayes, unleſs they give ſecurity to diſcharge the Pariſh, to be allowed by the ſaid Juſtices; Provided, perſons grieved may appeal to the next Quarter-Seſſions.

XXXII. Provided all perſons may go from place to place to work in Harveſt, carrying with them Certificates from the Miniſter, one Church-warden, and one of the Overſeers of the poor of the place where they inhabite; and ſuch working in Harveſt, or falling ſick, ſhall not be accounted a ſettlement; and if ſuch perſons refuſe to go, and ſhall not remain in the Pariſh where they ought to be ſetled, any two Juſtices of the Peace where the offence is committed, may ſend them to the houſe of Correction as Vagabonds, or to the publick Work-houſe, there to labour.

XXXIII. There ſhall be one or more Corporations in *London* and *Weſtminſter*, the Counties of *Middleſex* and *Surrey*, lying within the Pariſhes in the Weekly Bills of Mortality, conſiſting of a Preſident, Deputy-Preſident, and Treaſurer; And the Lord Mayor, Preſident, and Aldermen to be Aſſiſtants of the Corporation, or Work-Houſes of *London*, and 52 Citizens to be choſen by the Common-council of the ſaid City, who may elect a Deputy-Preſident, and Treaſurer, and other Officers, for execution of this Act.

XXXIV. A Preſident, and Deputy-Preſident, and Treaſurer, and Aſſiſtants for the City of *Weſtminſter*, to be choſen by the Lord-Chancellor, or Lord-Keeper.

XXXV. If Juſtices of the Peace of *Middleſex* and *Surrey* reſpectively, in their Quarter-Seſſions, may chuſe Preſidents, Deputy-Preſidents, Treaſurer, and Aſſiſtants for their reſpective Corporations and Work-houſes: And the Officers to give accounts in writing at every Quarter-Seſſions.

XXXVI. The ſaid reſpective Preſidents, &c. Incorporated, and may ſue, plead, or be ſued, by the name of Preſident and Governors for the poor, of the ſaid reſpective places; and every of the ſaid Corporations may purchaſe or have Lands not exceeding the value of 3000 l. *per annum* without Licence.

XXXVII. The ſaid reſpective Corporations, or any 7 of them, have power to meet and keep Courts for the purpoſes in this Act expreſſed, at ſuch time and place, as the Preſident, his Deputy, or the Treaſurer ſhall appoint, who are to warn a Court at the deſire of any four of the ſaid Corporation, and have power to appoint a common Seal for the uſe of the ſaid Corporation.

XXXVIII. The reſpective Preſidents and Governors of the ſaid Corporations, or two of them, or any perſon appointed, may apprehend Rogues, Vagrants, ſturdy beggars, or idle and diſorderly perſons,

ſons, within their reſpective limits and places, and cauſe them to be ſet and kept to work, and the Juſtices of the Peace in their Quarter-Seſſions, may ſignify the names of ſuch Rogues, Vagrants, &c. to the Kings Privy Council, as they ſhall think fit to be tranſported to *Engliſh* Plantations; upon approbation of which to the ſaid Juſtices ſignified, any 2 of the ſaid Juſtices may cauſe them to be tranſported from time to time during the ſpace of three years next enſuing the end of this preſent Seſſion of Parliament, to any *Engliſh* Plantation beyond Sea, there to be diſpoſed as ſervants, for a term not exceeding 7 years.

XXXIX. Upon certificate from the reſpective Corporations of want of ſtock, to the City of *London*, The Common-council of the ſaid City, and reſpective Juſtices at the Seſſions, may aſcertain a ſum not exceeding a rate of one years proportion to the poor. And thereupon the Aldermen, Deputies and Common-council-men of every Ward in *London*, and the Burgeſſes and Juſtices of the Peace in *Weſtminſter*, and Juſtices of the Peace in *Middleſex* and *Surrey*, ſhall equally rate the Inhabitants; at and upon complaint by any perſon of being unequally rated, he may be relieved at the next Quarter-Seſſions.

XL. Any Alderman of *London*, or his Deputy, or the Burgeſſes, and Juſtices of the Peace of the City of *Weſtminſter*, and Liberties thereof, or any two Juſtices of Peace of *Middleſex* and *Surrey*, by Warrant under their hands and Seals, may authorize the Church-wardens, or Overſeers for the poor, to demand and gather the ſeveral ſums aſſeſſed: And for default of payment within 10 dayes after demand, or notice left in writing at the dwelling houſe or lodging of the perſons aſſeſſed to levy the ſame by Diſtreſs and Sale of their goods, reſtoring the over-plus to the party diſtreined.

XLI. All ſtocks formerly raiſed for the poor, and in the hands of a Corporation for the poor in *London*, ſhall be paid to the Treaſurers of the ſaid Corporation made by this Act; and all that have any ſtocks or Lands in their hands for that purpoſe, ſhall be accountable to the ſaid Treaſurers, or ſuch as ſhall be appointed by them, or any 7 of them; Provided all juſt expences be allowed them.

XLII. The reſpective Preſidents and Governors, or 7 of them may make Orders and By-Laws, for releiving, regulating, and ſetting the poor to work, apprehending and puniſhing Rogues and Vagabonds within their ſeveral limits, Provided the ſaid By-Laws be preſented to, and confirmed by the Juſtices of the Peace at their Quarter-Seſſions.

XLIII. The Preſident and Governors, or any 14 of them, may chooſe and entertain Officers and others needful to be imployed,

the ſtock or revenue belonging to the Corporation; And all Sheriffs and Officers to be aiding to them in the execution of the powers by this Act.

XLIV. Two Juſtices of the Peace may appoint and ſwear new Conſtables, Headboroughs, &c. in caſe of death or removal of ſuch Officers out of the Pariſh; and if for want of holding Leets, they continue above the year, they may be diſcharged at the Seſſions, and others put in.

XLV. Every Juſtice of Peace may reward any perſons that apprehend and bring before them any Rogue, Vagabond, or ſturdy Beggar, by granting an Order or Warrant under his hand and Seal to the Conſtable of the Pariſh which ſuch Rogue, &c. paſſed through unapprehended, for payment of 2 s. for every Rogue ſo apprehended, and upon default of payment, to proceed againſt ſuch defaulter according to the Statute, 1 *Jac.* cap. 7. and to allow out of the ſaid Forfeiture the ſaid 2 s. and allowance for loſs of time, as they ſhall think fit.

XLVI. If any perſon ſhall apprehend a Rogue, Vagabond, or ſturdy Beggar at the confines of any County, which paſſed through another County unapprehended, he may go to ſome Juſtice of the Peace of the County, through which ſuch Rogue or Vagabond paſſed unapprehended, who (upon certificate under the hand of ſome Juſtice of the Peace of the County where ſuch Rogue was apprehended) ſhall grant his order or warrant under his hand and ſeal, to the Conſtable, to pay unto ſuch perſons 2 s. and what he thinks fit for expences and loſs of time, and upon refuſal, to proceed againſt ſuch Conſtable for the forfeitures by the Statute of 39 El. cap. 4.

XLVII. Conſtables, Headboroughs, and Tythingmen out of purſe, with the Church-wardens and Overſeers of the poor, and other Inhabitants of the Pariſh, may make rates upon all occupiers of lands, and Inhabitants, and all others chargable by the Statute 42 El. to the Poor, which being confirmed under the hands and ſeals of two Juſtices of the Peace, may be levyed by their warrant, by diſtreſs and ſale of the refuſers goods.

XLVIII. Putative fathers of Baſtard children, leaving their children upon the Pariſh oftentimes, the Churchwardens and Overſeers for the poor of the ſaid pariſh where the child is born may ſeiſe and take ſo much of the goods and chattels, and of the rents and profits of the lands of ſuch reputed fathers or mothers, as ſhall be ordered by two Juſtices of the Peace, for and towards diſcharge of the Pariſh, for providing for ſuch baſtard; and by order of the Seſſions may ſell the ſaid goods, or ſo much thereof as the Court ſhall think fit

ſit, and ſo much of the rents and profits of the lands for the ſaid purpoſes.

XLIX. The Defendant ſued for any thing done upon this Act, may plead the general Iſſue, and upon Verdict for him, Nonſuit, or Diſcontinuance, ſhall recover treble damages.

L. The poor of the Counties of *Lancaſhire*, *Cheſhire*, *Derby-ſhire*, *York-ſhire*, *Durham*, *Cumberland*, and *Weſtmerland*, and other Counties of *England* and *Wales*, ſhall be maintained, and ſet on work within their reſpective Pariſhes, according to the intent of this Act, and in caſe of default, the ſeveral penalties herein to be incurred: And the Juſtices of the Peace in the ſaid Counties may execute all powers there, under the like penalties as in the Statute of 43 El. cap. 2. to be levyed as therein mentioned.

LI. Proviſo, Impowring the Juſtices of the Peace in their Quarter-Seſſions, to tranſport convicted Rogues, Vagabonds, and ſturdy Beggars, to *Engliſh* plantations beyond the Seas.

LII. Proviſo, for ſaving the Franchiſes and Liberties of the Dean and Chapter of *Weſtminſter*, and this Act, as to all matters (except what relates to the Corporations) to continue till the end of the firſt Seſſion of the Parliament after the 29th of *May* 1665. and no longer.

Poſt-Office.

I. **Stat.** 12 *Car.* 2. cap. 34. A Poſt-Office for the carriage of Letters, and providing poſt-horſes, erected in *London*, the Maſter whereof to be appointed by the Kings Letters Pattents under the Great Seal, and the rates for carrying Letters aſcertained, as well Inland, as beyond Sea.

II. Poſtmaſters not providing ſufficient horſes for ſuch as have occaſion forfeit 5 l. for every offence, one moyety to the King, the other moyety to the party that will ſue for the ſame in any the Kings Courts of Record.

III. No horſes to be ſeiſed, or uſed for any ſervice within the ſaid Act, without conſent of the owners.

IV. **Stat.** 15 *Car.* 2. cap. 14. *Stat.* 3. The profits of the ſaid Poſt-Office, and power of granting Wine-Licenſes ſetled on the Duke of *York*, and the heirs Males of his body.

Prerogativa Regis.

I. **Statut.** 1. 48. 3. E. 1. Foraſmuch as the King hath ordained

theſe things, *viz.* this Statute of *Weſtm.* 1. for the honour of God and the Church, and for the Common-wealth, and for remedy of ſuch as are grieved, he would not, that at any other time it ſhould turn in prejudice of him, or of his Crown, but that ſuch right as appertain to him ſhould be ſaved in all points.

Preſident of the Council.

I. **Stat.** 21 H. 8. 20. *Pars inde.* The Preſident of the Kings Council (if he be preſent) may aſſociate the Lord Chancellor, Treaſurer and Privy Seal, at naming of Sheriffs, ſetting of prizes of Wines, and at all other Acts limited (by any Statute) to be done by the ſaid Chancellor and Treaſurer, or Keeper of the Privy Seal.

Primer Seiſin.

I. **Prerog. Reg.** 3. 17. E. 2. The King ſhall have *Primer ſeiſin* after the death of his Tenant in chief, of all the lands whereof he dyed ſeiſed in Demeſne as of Fee, of what age ſoever the Heir be, taking the iſſues of the ſame lands, until inquiſition be made, and he have taken homage of ſuch Heir.

Printing. *See* Books, *&c. Per tot.*

☞ Priſon, Priſoners; Goal, Goalers.

I. **Stat.** 1 E. 3. *Stat.* 1. 7. The Juſtices of either Bench, Aſſize, and Goal-delivery, ſhall hear and determine all plaints made againſt Sheriffs, and Goalers, who ſhall compel or procure priſoners to become approvers, *viz.* to accuſe others.

II. **Stat.** 5 E. 3. 8. Endictees and Appellees in the Kings Bench ſhall be ſafely kept in Priſon by the Marſhals there, and not ſuffered to go at large, according to the charge given them by the Juſtices; And if any complain thereof, the Juſtices ſhall do him right during the Terms.

III. At the end of every Term, the Marſhalls ſhall acquaint the Juſtices, in what Town they will keep ſuch Priſoners, and ſhall there allow them houſes at their own charge.

IV. The Marſhals, who ſuffer any ſuch priſoner to go at large, ſhall ſuffer half a years Impriſonment, and be ranſomed at the Kings will.

will, which the Juſtices ſhall have power to enquire of, when they ſee time.

V. The proceedings againſt Marſhals, ſhall be within the Verge, and if the Marſhalls ſuffer any to eſcape, they ſhall be proceeded againſt according to Law: howbeit, the King intended not by this Statute to loſe the eſcape, where he ought to have it.

VI. **Stat.** 14 E. 3. *Stat.* 1. 10. Goals which were wont to be in the Sheriffs cuſtody, ſhall be again rejoyned to their Bailiwicks, and they ſhall put in ſuch keepers for whom they will anſwer.

VII. The Goaler which by *dures* compells a priſoner to become an approver, ſhall have judgment of life and member.

VIII. **Stat.** 13 R. 1. 15. The Kings Caſtles and Goals, which were wont to be joyned to the bodies of the Counties, and be now ſevered, ſhall be rejoyned to the ſame.

IX. **Stat.** 5 H. 4. 10. Juſtices of Peace ſhall impriſon none but in the common Goal; ſaving to Lords and others (who have Goals) their Franchiſe in this caſe.

X. **Stat.** 19 H. 7. 10. The Sheriff of every County ſhall have the keeping of the common Goal there, except ſuch as hold any by inheritance or ſucceſſion; alſo all Letters Patents of the keeping of Goals for life or years, are annulled and void: howbeit, the Kings Bench, nor Marſhalſey ſhall be in the cuſtody of any Sheriff, and the Patents of *Edward Courtney*, Earl of *Devon*. and *John Morgan* for keeping of priſons, are excepted.

XI. **Stat.** 6 H. 8. 6. The Juſtices of the Kings Bench have power (by their diſcretions) to remand, as well the bodies of Felons, as their Indictments, into the Counties where ſuch Felonies were committed: And alſo to command the Juſtices of Goal-delivery, of Peace, and all other Juſtices and Commiſſioners there, to proceed and determine ſuch Felonies, in like manner, as if their bodies and Indictments had not been removed.

XII. **Stat.** 23 H. 8. 2. The Juſtices of Peace in *Eſſex*, *Suffolk*, *Dorſet*, *Suſſex*, *Surrey*, *Nottingham*, *Gloceſter*, *Bedford*, *Buckingham*, *Huntington*, *Wilts*, *Kent*, *Warwick*, *Staff.* *Oxon*, *Berk.* *Leic.* *Rutl.* *Linc.* *Heref.* *North.* *Salop*, *Norf.* *Cornwal*, and *Derby*, or the greater part of them, in their reſpective Counties, have power within one year, to appoint the Towns and places within their reſpective limits, where common Goals may be edified, and to tax the ſeveral Counties for building and furniſhing the ſame: Howbeit, this tax was not to extend to corporate Towns, having Juſtices and Common Goals of their own.

XIII. Felons ſhall be committed to the ſaid common Goals, and,

not elſewhere; And the Sheriffs ſhall have the Cuſtody thereof, and ſhall be allowed in their accounts (by the Barons of the Exchequer) the moneys expended by them in repair of the ſame, without any Bill or Warrant of the King to be ſhewed in that behalf.

XIV. This Act ſhall not prejudice any perſon having a common Goal by Inheritance, or for life or years.

XV. **Stat.** 5 *El.* 24. The Statute of 23 *H.* 8. 2. is continued for 10 years, and ſhall extend to the Counties of *Pembroke*, *Glam. Cardig. Radnor*, and *Mountgomery*.

XVI. 13 *El.* 25. The Statute of 23 *H.* 8. 2. and 5 *El.* 24. ſhall extend to the County of *Cambridge*, and the ſaid Acts ſhall continue in force 10 years after the 10 years of continuance, mentioned in 5 *El.* 24.

XVII. **Stat.** 14 *El.* Juſtices of Peace in Seſſions, or the more part of them, have power to tax every Pariſh in the County (but not above 6 *d.* or 8 *d.* a piece) towards the relief of priſoners, which tax the Church-wardens of every Pariſh ſhall levy every Sunday, and pay it in quarterly to the High-Conſtable, or (in a Corporation) to the Head-Officer, and the High-Conſtable, or Head-Officer ſhall pay the ſame at every Quarter-Seſſion, to the Collectors thereof, to be appointed by the ſaid Juſtices, who ſhall diſtribute it weekly to the ſaid priſoners.

XVIII. The Church-wardens, High-Conſtables, Head-Officers or Collectors aforeſaid, which herein ſhall be found negligent, ſhall forfeit 5 *l.* to be divided betwixt the Queen and the priſoners.

XIX. Juſtices of Peace within the County ſhall not intermeddle with a Corporation for the execution of this Act: But onely the Mayor and Head-Officers of the ſame.

XX. **Stat.** 3 *Jac.* 10. An offender, which is to be conveyed to the Goal, ſhall bear all charges, both of himſelf, and of thoſe that guard him.

XXI. If he refuſe ſo to do, upon a Warrant from a Juſtice of Peace, The Conſtable of the Town-ſhip, where he hath any goods (being within the ſame County) may ſell ſo much thereof, as in the diſcretion of the ſaid Juſtices ſhall be thought ſufficient to ſatisfie the ſaid charges; the appraiſement thereof to be made by the neighbours there, and the overplus to be rendred to the ſaid offender.

XXII. If the offender hath no goods to ſatisfie the charges, the the Conſtables, Church-wardens, and two or three other honeſt inhabitants, or, in caſe there be no ſuch Officers there, four of the Principal Inhabitants of the Pariſh, where he was taken, ſhall make a tax,

tax, according to which, (being allowed under the hand of a Juſtice of Peace) every inhabitant ſhall pay the ſaid charges; And upon refuſal (by Warrant from a Juſtice of Peace) the Conſtable, Tything-man, or other Officer, hath power to levy the ſame by diſtreſſe, and (after appraiſement by four inhabitants there) to ſell the ſame, rendring the overplus to the party ſo refuſing.

XXIII. Here, if the Officer that diſtrains, be ſued, he ſhall plead juſtification; and upon Verdict for him, or Non-ſuit of the Plaintiff, ſhall recover treble damages, beſides coſts of ſuit.

Prize Goods.

I. **Stat.** 16 & 17 *Car.* 2. *ca.* 6. An Act for repealing part of an Act made this Parliament, intituled, *An Act directing the proſecution of ſuch as are accomptable for Prize-Goods*, 14 *Car.* 2. *cap.* 14. *viz.* as to any proſecution againſt all Admirals, Vice-Admirals, Captains of Ships, Officers of Ships or Veſſels, Sea-men and Marriners. Provided this Act extend not to diſcharge any others.

Probat of Teſtaments.

* I. **Stat.** 31 E. 3. 4. Biſhops ſhall reſtrain their Officers from taking exceſſive fees for Probats of Teſtaments, in pain to have them indicted before the Juſtices for extortion, as hath been heretofore uſed.

II. **Stat.** 21 *H.* 8. 15. Nothing ſhall be given for the Probat of a Will or Commiſſion of Adminiſtration, when the goods of the dead exceed not 5 *l.* ſave onely 6 *d.* to the Regiſter; Nevertheleſſe, the Judge ſhall not refuſe to prove ſuch a Teſtament, being exhibited unto him in writing, with wax ready to be ſealed and proved, *Communi forma*, but ſhall diſpatch the party without delay.

III. For the Probat of a Will, and all other things concerning the ſame, when the goods of the dead exceed 5 *l.* but not 40 *l.* the Judges Fee is 2 *s.* 6 *d.* and the Regiſters 12 *d.* And when they exceed 40 l. the Judges Fee is 2 *s.* 6 *d.* as before, and the Regiſters as much; Or the Regiſter may refuſe the 2 *s.* 6 *d.* and take a peny for ten lines of the Will, each line being conceived to contain ten Inches in length; And for theſe Fees, they ſhall diſpatch the party without fruſtratory delay.

IV. Where there is no Will, or the Executors refuſe it, Adminiſtration ought to be committed to the Inteſtates widow, if he left any, or to the widow, and the next of the kindred, or (in caſe he left

left no widow) to one or more of the kindred, or (in caſe they look not after it) to any creditor or creditors, that deſire it, or (in caſe they alſo neglect it) to any other perſon or perſons at the diſcretion of the Ordinary, who is enjoyned to take ſecurity of ſuch Adminiſtrators for the due adminiſtration of the Inteſtates goods.

V. Nothing ſhall be given for Letters of Adminiſtration, when the Inteſtates goods exceed not 5 *l.* and when they exceed not 5 *l.* but not 40 *l.* the Officers Fees are onely 2 *s.* 6 *d.*

VI. The Executors or Adminiſtrators (calling to them two or more Creditors, or ſo many of the next of the Kin, or (in their default) two or more neighbours, or friends to the dead) ſhall in their preſence cauſe a true Inventory to be made of the goods, and ſhall deliver the ſame in upon oath unto the Ordinary indented, whereof one part ſhall remain with the Ordinary, and the other with the Executors or Adminiſtrators.

VII. The Judge or Ordinary ſhall not refuſe to receive an Inventory indented, ſo tendered unto him in Court, together with his oath to verifie the ſame.

VIII. Lands deviſed to be ſold, ſhall not be accompted any of the Teſtators goods.

IX. The fee for the Copy, either of the Will or Inventory, is the ſame with that above allowed for regiſtring of the Will, or elſe the Regiſter mny take a peny for every ten lines of the length, as aforeſaid.

X. The Officer that takes more then his due fee, ſhall forfeit that exceſs to the party grieved, and beſides, 10 *l.* to be divided betwixt the King and the ſame party grieved.

XI. This Act ſhall not alter the cuſtome where leſs money hath been for probate of Teſtaments.

XII. The Ordinary may convent Executors to prove the Teſtators Will, and to bring in the Inventory, as before, notwithſtanding this Act.

☞ Proceſs.

I. **Artic. ſuper Cart.** 15. 28 E. 1. the ſummons and attachments of plea of land ſhall contain 15 dayes, except attachment of Aſſizes in the Kings preſence, and pleas before Juſtices in *Eyre* during the *Eyre*.

II. **Stat.** 5 E. 3. 11. Juſtices aſſigned to hear and determine felonies, ſhall direct their Writs to all the Counties of *England*, where need ſhall be, to take perſons indicted or outlawed for felony.

Stat.

III. **Stat.** 25. *Stat.* 5. 17. Proceſs ſhall be made in a Writ of debt and detinue of cattel, and taking of beaſts by Writ of *Capias*, and by proceſs of Exigent by the Sheriff's return, as is uſed in a Writ of Accompt.

IV. **Stat.** 6 H. 6. 1. Upon Indictment of any perſon in the Kings Bench for Treaſon, Felony, or Treſpaſs, a *Capias* ſhall be awarded againſt him as well to the Sheriff of the County where he was ſo indicted, as of the County whereof he is named in the indictment, returnable (at leaſt) ſix weeks after, before an *Exigend* ſhall be awarded: And if any *Exigend* ſhall be awarded, or Outlawry pronounced before ſuch return, they ſhall be void. This Ordinance ſhall endure as long as it ſhall pleaſe the King.

V. **Stat.** 8 H. 6. 10. Upon every ſuch Indictment or appeal (before Juſtices of Peace, or other Commiſſioners) or any perſon dwelling in another County, then where the indictment or appeal was taken, before any *Exigend* be awarded thereupon, after the firſt *Capias* returned, another ſhall iſſue out againſt him to the Sheriff of the County, where he is ſuppoſed, by the indictment, to be moſt converſant, returnable three moneths after, before the Juſtices or Commiſſioners, before whom he was ſo indicted or appealed, where the Counties are holden from moneth to moneth, but four moneths after, where they are holden from ſix weeks to ſix weeks.

VI. In this ſecond *Capias* the Sheriff ſhall be commanded to take him, if he be in his Bailiwick; but if he cannot find him, then to make Proclamation at two ſeveral Counties before the rerurn thereof, that he appear at the return; at which time, if he come not, an *Exigend* ſhall be awarded: And every *Exigend* awarded, or Outlawry pronounced otherwiſe, ſhall be void.

VII. This Statute of 6 H. 6. 1. is confirmed; and an action upon the Caſe is maintainable by the party wrongfully indicted or appealed againſt the procurer thereof, wherein he ſhall recover treble damages, and the proceſs thereof ſhall be, as in Treſpaſſe *vi & armis*.

VIII. This Act ſhall not extend to indictments or appeals taken, in the County of *Cheſter*.

IX. If the Indictee or Appellee happen to be converſant in the County where the indictment is found, at the time of the finding thereof, like proceſs ſhall be made againſt the perſon, as heretofore hath been uſed.

X. **Stat.** 10 H. 6. 6. The Statute of 8 H. 6. 10. is confirmed.

XI. When ſuch Indictments or Appeals, as are mentioned in the *Statute* of 8 H. 6. 10. are removed by *Certiorari* into the Kings Bench, like

like Proceſſes and Returns ſhall be iſſued and obſerved in that Court, as the Juſtices or Commiſſioners are ordered to iſſue and obſerve by the ſame Statute; And *Exigents* or *Outlawries* otherwiſe awarded or pronounced, ſhall be void.

XII. **Stat.** 19 *H.* 7. 9. Like Proceſs ſhall be hereafter had in Actions upon the Caſe ſued in the Kings Bench, or Common Pleas, as in actions of Treſpaſs or Debt.

XIII. **Stat.** 23 *H.* 8. 14. Like Proceſs ſhall be had in every Action hereafter to be brought upon the Statute of 5 *R.* 2. 7. (*which ſee in Forcible Entry.*) as in Treſpaſs, and like Proceſs in every Writ of Annuity and Covenant, as in Debt.

XIV. **Stat.** 8 *El.* 2. When any perſon ſhall ſue forth of the Kings Bench any *Latitat*, *Alias* and *Pluries Capias* againſt any perſon, who thereupon doth appear and put in bail, if the Plaintiff do not declare within three dayes after, or do after Declaration delay or diſcontinue his ſuit, or be non-ſuit, the Judges of that Court ſhall thereupon award damages againſt the Plaintiff.

XV. The like ſhall be done in the Courts of the Marſhalſey, *London*, and all other Corporations, and Liberties, where the Courts are kept *de die in diem*; but where they are not ſo kept, then the Plaintiff muſt declare at the next Court after appearance, unleſs he have longer time allowed him by the Court.

XVI. If any ſhall malitiouſly (for vexation and trouble) cauſe, or procure any perſon to be arreſted, or attached, to anſwer in any of the ſaid Courts, at the ſuit of any perſon, whereas there is none ſuch, or without the conſent or agreement of the party, at whoſe ſuit ſuch arreſt or attachment is procured, the party ſo cauſing, or procuring the ſame, and thereof convict by indictment, preſentment, the teſtimony of two or more witneſſes, or other due proof, ſhall ſuffer ſix moneths impriſonment without bail, and ſhall not be inlarged, untill he hath ſatisfied the party grieved, his treble damages; and beſides, ſhall forfeit unto him (if he be known) 10 *l.* to be recovered (as alſo the ſaid treble damages) by action of debt, bill, or plaint in any Court againſt the party ſo offending his Executors or Adminiſtrators, in which no Eſſoin, *&c.* ſhall be allowed.

XVII. **Stat.** 12 *Car.* 2. *ca.* 3. Proceſs and Judicial proceedings continued, and pleas and proceſs under certain titles and names of *Cuſtodes*, *& Oliver*, *&c.* may be proſecuted and proceeded upon.

XVIII. Proceſs and Pleadings in *Engliſh* in Courts of Juſtice from the firſt return of *Eaſter* Term 1651. till the firſt of *Auguſt* 1660. confirmed, and no longer: And the pleading the General Iſſue allowed till then, according to the pretended Acts for the ſame. And

all

all Proceſs, Writs, and Patents, &c. hereafter to iſſue in the Kings name.

XIX. **Stat.** 12 *Car.* 2. *ca.* 12. What Judicial Proceedings ſhall not be avoided, by reaſon of any alteration of the Names, Stiles, or Titles; but ſhall be good and effectual in Law, notwithſtanding ſuch defects, *See the Statute at large.*

See Arreſts, Numb. IV.

Prochein Amy.

I. **Weſt.** 1. 47. 3 *E.* 1. If a chief Lord being Guardian make Feoffment of the heirs land, the heir ſhall forthwith recover it by Aſſiſe of *Novel diſſeiſin* againſt his Guardian and the tenant, and the ſeiſin ſhall be delivered by the Juſtices to the next friend to the heir (to whom the inheritance cannot deſcend) to improve it for the uſe of the heir, and to anſwer him for the iſſues at his full age, and the Guardian ſhall loſe the cuſtody of the thing recovered, and all the inheritance that he holdeth by reaſon of the heir: but if the Guardian be a mean Lord, he ſhall loſe the Wardſhip of all, and be grievouſly puniſhed by the King.

II. If the Infant be carried away, or diſturbed by the Guardian or his Feoffee, or any other, ſo that he cannot ſue his Aſſize, his *Prochein Amy* ſhall be admitted to do it for him.

III. **Weſt.** 2. 15. 13 *E.* 1. If an infant be eloined, ſo that he cannot ſue perſonally, his *Prochein Amy* ſhall be admitted to ſue for him.

Prohibition and Conſultation.

I. **Stat.** *De Circumſpecte agatis*, 13 *E.* 1. For penance corporal or pecuniary enjoyned for deadly ſin, as Fornication, Adultery, or the like, alſo for not fencing the Church-yard or not repairing the Church or ſufficiently adorning it, a Prohibition lieth not: Nor for Oblations, Tythes, Mortuaries, Penſions, laying violent hands upon a Clerk, Defamation (when money is not demanded) nor for breaking an Oath.

II. **Stat.** *De Conſultatione*, 24 E. 1. When the Chancellor or chief Juſtices (upon ſight of the Libel) conceive that the Plaintiff cannot have remedy in any Temporal Court, the Plaintiff ſhall have Conſultation. *viz.* the ſaid Chancellor or chief Juſtice ſhall write to the Eccleſiaſticall Judges, before whom the cauſe depends,

pends, that they proceed therein, notwithſtanding the Kings prohibition.

III. **Artic. Cler.** *Cap.* 1. 9 E. 2. For tythes, oblations, obventions, or Mortuaries, (when they are propounded under thoſe names) the Kings Prohibition ſhall not hold place, albeit for the long withholding of them they come to a *pecuniary* eſtimation: but if an Eccleſiaſtical perſon lodge his tythes in his barn, and then ſell them for money, if that money be demanded before a Spiritual Judge, for this, a prohibition lieth; for by the ſale they are made Temporall.

IV. *Cap.* 2. If debate ariſe upon the right of tythes (having his original from the right of the Patronage) and the quantity of the ſame tythes do amount to a fourth part of the goods of the Church, for this a prohibition lyeth: Alſo if a pecuniary penance be demanded in the Court Chriſtian, a prohibition lyeth: but if a Prelate enjoyn corporal penance, and the party afterward Commutes for money, that money is recoverable in the Court Chriſtian, and in that caſe a prohibition lieth not.

V. *Cap.* 3. If any lay violent hands upon a Clerk, the amends for the peace broken ſhall be before the King and for the excommunication before a Prelate; and if corporal penance be enjoyned, and the offender will redeem it with money to be given to the Prelate or the party grieved, it ſhall be required before the Prelate, and the Kings prohibition lieth not.

VI. *Cap.* 4. Alſo in defamations, the Prelates may correct, notwithſtanding the Kings prohibition.

VII. *Cap.* 5. No prohibition ſhall be granted, where tythe is demanded out of a Mill newly erected.

VIII. **Stat.** 1 E. 3. *Stat.* 2. 11. A prohibition is granted againſt thoſe, who in the Spiritual Court do ſue their indictors.

IX. **Stat.** 18 *E.* 3. *Stat.* 3. 5. No prohibition ſhall be awarded but where the King hath Conuſance.

X. **Stat.** 45 *E.* 3. 3. A prohibition (and an Attachment thereupon) ſhall be granted, where a ſuit is commenced in the Spiritual Court for the Tythes of underwood above 20 years growth in the name of *ſylva cædua*.

XI. **Stat.** 50 *E.* 3. 4. No prohibition ſhall be allowed after Conſultation duly granted; ſo as the matter in the Libell be not changed.

Prophecies.

* I. **Stat.** 5. *El.* 15. None shall publish or set forth any phantastical or false Prophecie, with an intent to raise sedition, in pain to forfeit for the first offence, 10 *l.* and to suffer one whole years imprisonment, and for the second, all his goods, and to incur imprisonment during life, which said forfeitures are to be divided betwixt the Queen and the prosecutor.

II. Justices of Assize, *Oyer* and *Terminer*, and Peace, have power to hear and determine this offence, being prosecuted within 6 months, otherwise not.

Protection.

I. **Stat.** *De Protectionibus*, 33 E. 1. A Challenge shall be entred against a protection of the Kings Service, and if the Countrey passe against him, that cast the protection, it shall turn to a default, if he be Tenant; and if he be demandant, he shall lose his Writ, and shall also be amerced to the King.

II. **Stat.** 25 E. 3. *Stat.* 5. 19. Notwithstanding, the Kings protection of his Debtor, other Creditors may proceed to Judgement against him with a *Cesset executio*, until the Kings debt be paid: And here, if the Creditors will undertake for the Kings debt, they shall have execution against the Debtor, both for their own debts, and likewise for so much as they have paid the King.

III. **Stat.** 1. R. 2. 8. No protection with the Clause of *Volumus*, shall be allowed for Victuals, taken or brought upon the Voyage, or Service, whereof the protection maketh mention; neither yet in pleas of trespass or contracts made after the date of the same protection.

IV. **Stat.** 13. R. 2. 16. No protection with the Clause of *Quia profecturus*, shall be allowed in any plea whereof the Suit was commenced before the date of such protection: except in a Voyage, where the King goeth in person, or other voyages royall, or in the Kings Messages: Howbeit, this Act shall not infringe protections with the Clause of *Quia moratur*: and if the party protected tarry more then a convenient time in the Countrey, without going to the Service, or return from the Service, the Chancellor having notice thereof, shall repeal his protection.

V. **Stat.** 7. H. 4. 4. In an Action of Debt brought against the Goalor, which letteth a prisoner escape, a protection shall not lie.

Stat.

Proviſo and Præmunire.

* I. **Stat.** 25. E. 3. *Stat.* 5. 22. He that purchaſeth a proviſion in *Rome* for an Abbey or priorie ſhall be out of the Kings protection, and any man may do with him, as with the Kings Enemy. *But this is altered by* 5 El. 1. *which ſee in Crown.*

II. The Statute of *Proviſors*, 25 E. 3. Stat. 6. made to prevent Collations of Benefices in *England*, by the *Pope* to the *Proviſors*, or procurers thereof, as well Aliens as Denizens: And here, the penalty was impriſonment without bail, until he ſhould make fine to the King and ſatisfaction to the party grieved, if he were taken; but if not, the *Exigent* ſhould run againſt him.

III. **Stat.** 27. E. 3. Stat. 2. 2, 3. A *Præmunire* is granted againſt ſuch as ſue in a forreign Realm, or impeach there any judgement given in any of the Kings Courts, for any matter whereof the Kings Courts may take conuſance: The penalty is to be out of the Kings protection, to forfeit all their lands and goods, and to be impriſoned, and ranſomed at the Kings will, if they may be found, but if not, they ſhall be put in *Exigent*, and outlawed.

IV. **Stat.** 3. R. 2, 3. None ſhall take a Benefice of an Alien, nor convey any money to him for the farm thereof, in pain of a *Præmunire.*

V. **Stat.** 7. R. 2. 12. No Alien ſhall purchaſe a Benefice in this Realm, nor occupy the ſame without the Kings licenſe, in pain of a *præmunire.*

VI. **Stat.** 1. 2. 2. 15. If any go out of the Realm to procure (by way of proviſion) a Benefice within the Realm, he ſhall be out of the Kings protection, and the Benefice ſhall be void.

VII. **Stat.** 13. R. 2. *Stat.* 2. 3. A Confirmation of the Statute of Proviſors, 25. E. 3. and if any accept of a Benefice, contrary to the ſaid Statute, he ſhall incur a *Præmunire*, and ſuffer perpetual baniſhment.

VIII. **Stat.** 16. R. 2. 5. None ſhall purchaſe Bulls, or other Inſtruments from *Rome*, or elſewhere, in pain to incur a *præmunire.* The Crown of *England* is ſubject to none.

IX. **Stat.** 2. H. 4. 3. and 4. Religious perſons purchaſing Bulls from the Pope, to be exempted from obedience, or tithes, ſhall incur a *præmunire.*

X. **Stat.** 7. H. 4. 8. No proviſion ſhall be made by the Pope, nor licenſe or pardon by the King, touching any Benefice, then full of an Incumbent.

Stat.

XI. **Stat.** 3. H. 5. 4. All Provisions made by the Pope, and licences or pardons by the King, touching any Benefices, full of an Incumbent, shall be void, and the provisors thereof shall incur a *præmunire*.

Purpresture.

I. **Stat.** *De Bigamis*, 4. E. 1. Purpresture, or usurpations upon the King, shall be reseised, and if any complain of such reseisures, he shall be heard, and have right done him.

Purveyors.

* I. **Magna Carta**, 21. 9. H. 3. No Sheriff or Bailiff of the King or any other, shall take any Horses or Carts of any man to make carriage, except they pay for carriage, with two Horses, after the rate of 10 *d.* a day, and with three, 14 *d.* a day.

II. No Demesne Cart of any Spiritual person, Lord or Knight, shall be taken for carriage by the Kings Bailiffs: Neither shall any wood be taken for the Kings use, without the owners license.

III. **Stat.** *De Tallagio non concedendo, Tempore*, H. 3. *vel.* E. 1. None of the Kings Ministers shall take any Corn, Hides, or any other goods, without the owners consent.

IV. **Artic.** 1. 31. 3. E. 1. Purveyors, who take any thing for the Kings use upon credit, shall immediately after they shall have received money of the King, satisfie the Creditor, in pain to have the same (together with damages) levied of their lands and goods, and also to make fine for the trespass: And if they have neither lands nor goods, they shall suffer imprisonment at the Kings will.

V. None shall take more Horses or Carts for the Kings use, then need requires: Nor take a reward to excuse any, in pain to be punished by the Marshals, if he be of the Court, and if not (being thereof attainted) to pay treble damages, and to remain in the Kings prison 40 dayes.

VI. **Artic. super Cart.** 2. 28. E. 1. None but the Kings Purveyors shall take any prices, and they only for the use of his House, paying or agreeing with the party for the same, if the prices taken be meat, drink, or such other mean things.

VII. Purveyors shall before they take any goods, shew their Warrant to the owner, which Warrant shall be under the great or petty Seal: declaring also their authority, and the goods whereof they are to make purveyance, neither shall they take any more then need requires.

VIII. Purveyors ſhall not take any thing for ſuch as are in wages, nor for any other; but ſhall make full anſwer in the Kings Houſe, and in the Wardrobe for all things taken by them, without making their larges elſewhere, or liveries of ſuch things as they have taken for the King.

IX. A Purveyor (upon complaint made to the Steward, or Treaſurer of the Kings Houſe) being attainted to have offended in the premiſſes, ſhall forthwith agree with the party grieved, be put out of the Kings Service for ever, and remain in priſon at the Kings pleaſure.

X. If a Purveyor be attainted to have taken any thing without Warrant, he ſhall be conveyed to the next Goal, and ſuffer as a Felon, if the value of the goods do ſo require.

XI. Concerning prices made in Fairs, good Towns, and Ports, for the Kings great Wardrobe, the Purveyors ſhall have their common Warrant under the Great Seal.

XII. This Act ſhall not diminiſh the Kings right to ancient prices due and accuſtomed; as of Wines and other goods, *See this Statute confirmed*, by 18.E.2.2.4.E.3.4. and 25. E.3.1.

XIII. **Stat.** 4.E.3 3. No purveyance ſhall be made, but only for the Houſes of the King, Queen, or their Children.

XIV. Purveyance made for thoſe Houſes, ſhall be taken by ordinary ſtriked meaſure, and prized at the true value by the Conſtable and other good men of the place, according to their Oath; and without threats or *dures*; for which expreſs payment ſhall be made before the Kings departure out of that Verge. *See this Statute confirmed*, 10 E.3.1.

XV. **Stat.** 5. E.3.2. Purveyances for the Houſes of the King, Queen, and their Children, ſhall be made without menace by the Conſtables and four diſcreet men of the place, where they are to be taken, who ſhall alſo be thereto ſworn: And Talley of the goods ſo taken, ſhall be ſtrook betwixt the Purveyors and the owners thereof, in the preſence of thoſe Conſtable and apprizers, under the Seals of the ſaid Purveyors, according to which the owners ſhall be afterwards paid: And if a Purveyor ſhall be attainted to have taken any thing otherwiſe then is limited by this Statute, he ſhall be impriſoned, and ſuffer as a Felon, if the value of the goods require it: And in every Warrant of Purveyance, the form and penalty of this Statute ſhall be inſerted: *See* 10 E.3.1. and 25 E. 3. 1. *to the like effect.*

XVI. **Stat.** 14.E.3. *Stat.* 3. 1. Spiritual perſons goods ſhall not be taken by Purveyors, nor their Houſes charged with Horſes, Dogs,

Dogs, Hawks, or the like, without their consent and good liking.

XVII. **Stat.** 13 E. 3. 19. *Stat.* 1. The Kings Purveyors shall take nothing without the owners consent, and shall pay for what they take before the Kings departure out of that Verge: And if they attempt to do any thing against this Statute, by colour of their Commission, no man is bound to obey them.

XVIII. For the purveyance of Towns and Castles in *Scotland* and *England*, Merchants shall be appointed by the Treasurers without Commission; but none shall be compelled to sell any thing against their will.

XIX. The Sheriff shall make purveyance for a certain number of the Kings Horses and Dogs out of the issue of his Bailiwick.

XX. The Countrey shall not be charged with any more persons, then are necessary to keep those Horses, *viz.* for every Horse, a servant, without bringing Women, Pages, or Dogs with them.

XXI. **Stat.** 18. E. 3. 4. In Commissions of purveyance, the fees of the Church shall be excepted.

XXII. **Stat.** 25. E. 3. Stat. 5. 6. No Purveyor shall take any Timber growing about a mans house, in pain of one years imprisonment, and the losse of his Office.

XXIII. **Stat.** 25. E. 3. Stat. 5. 15. No Purveyor shall take more sheep for the Kings House before Sheer-day, then shall be needfull, in pain to suffer as a Felon, and this penalty shall be inserted in every Commission of Purveyance.

XXIV. **Stat.** 28. E. 3. 12. When the value of the purveyance exceeds not 20 *s.* present payment shall be made for it within one quarter of a year after, upon a certain day, and at a place convenient for the party that is to receive it.

XXV. **Stat.** 34. E. 3. 2. No purveyance shall be hereafter made, save only for the King, Queen, and Prince.

XXVI. **Stat.** 34. E. 3. 3. As concerning purveyances for the Queen, or Prince, present payment shall be made for Poultry, or other small things; but for other great purveyances, within a month or six weeks.

XXVII. **Stat.** 36. E. 3. 2. From henceforth, purveyances shall be made for the King and Queens Houses, and none other.

XXVIII. The odious name of a Purveyor shall be changed and termed Buyer.

XXIX. If the buyer and seller cannot agree, the goods shall be apprized by the Lords, or Bailiffs, Constables, and four men, by Indenture between the buyer and them, containing the quantity of the takings, the price, and of what persons bought, which takings,

ſhall be made without *dures* or compulſion, in places of plenty, and in a convenient time.

XXX. Purveyors ſhall be men of ſufficiency, and ſhall make no Deputies: their Commiſſion ſhall be renewed every half year under the Great Seal; which none is bound to obey, unleſs they pay ready money, as well for things bought, as alſo for carriages.

XXXI. Purveyance of Grain or Malt ſhall be made by ſtriked meaſure according to the Standard, and no more carriages ſhall be uſed for it then ſhall be needful.

XXXII. If any Purveyor or Buyer offend againſt the Statute, he ſhall ſuffer puniſhment of life and member: *See the Statute confirmed*, 23 H.6.1.

XXXIII. **Stat.** 36.E.3.3. No buyer ſhall ſpare any from carriages, nor charge any for hatred or ill will, in pain to yield to the party grieved, treble damages, ſuffer two years impriſonment to be ranſomed at the Kings will, and to abjure the Court, and if the party grieved will not ſue in this caſe, any other that will ſhall have the third peny of what ſhall be recovered.

XXXIV. **Stat.** 36. E.3.4. Commiſſion ſhall be awarded to enquire of the behaviour and act of ſuch buyers, and if it ſhall be found by the Countrey, that they have taken more then they have delivered in, or have not paid for what they have taken, they ſhall have pain of life and member.

XXXV. **Stat.** 36. E.3. 3. None ſhall keep more houſes of the Kings, then ſhall be committed to him.

XXXVI. None of the King or Queens Houſes ſhall make any Purveyor, but ſhall buy proviſion, as others do, of ſuch as are willing to ſell.

XXXVII. **Stat.** 38. E. 3. 6. It is Felony for any Subjects ſervant to take any thing by way of purveyance, without the owners notice.

XXXVIII. **Stat.** 1 R. 2. 5. Prelates ſhall have their actions of treſpaſs againſt Purveyors offending, and ſhall alſo recover treble damages.

XXX X. **Stat.** 7. R. 2. 8. No Subjects Cator ſhall take any victual or carriage without the owners conſent, and preſent payment, in pain to incur the penalties compriſed in the Statutes of Purveyors.

XL. **Stat.** 2. H.4.14. When the value of a thing taken exceeds not 40 *s.* the Purveyor ſhall make preſent payment for it, in pain to loſe his Office, and alſo to pay as much to the party grieved.

XLI. **Stat.** 1. H. 6. 2. The Statutes of Purveyors ſhall be proclaimed quarterly by every Sheriff throughout his Bailiwick, in pain to forfeit 5 *l.* for every time he makes default.

Stat.

XLII. **Stat.** 20 H. 6. 8. A Purveyor that takes goods, whose value exceeds not 10 s. and payes not present money for them, may lawfully be resisted; And here the Constable, Headborough, or other Officer, shall (upon request) assist the owner, in pain to yield unto the said owner, the value of the goods taken, and double damages.

XLIII. None of the Kings Officers shall Arrest or trouble any of the Kings Subjects for any such resistance, in pain of 20 l. to be divided betwixt the King and the prosecutor.

XLIV. Justices of Peace have power to hear and determine the offences committed against this Act, and upon conviction of the Defendant, to award damages to the Plaintiff.

XLV. In every purveyors Commission, this Act shall be inserted, and shall also be sent to the Sheriffs of every County to be proclaimed amongst other Statutes of purveyors, according to the Statute of 1 H. 6. 2.

XLVI. **Stat.** 23 H. 6. 1. 2. Every purveyor, before he receive his Commission, shall be sworn to the Chancery, to take nothing of subjects contrary to the Statute of 36 E. 3. 2. 3.

XLVII. The party grieved by taking, which upon request was not assisted by the Apprizer, Town, or Towns adjoyning, may bring his Action of Debt against the Town, or the purveyor, which he likes best, and shall recover the treble value of his goods so taken away, together with his costs, and treble damages; And none of the Kings Officers shall trouble any of the Kings subjects for the execution of this Act, in pain to forfeit 20 l. to the party grieved, besides his costs and damages, for which he may have a Writ of debt, in which Action no wager of Law, Essoin, Aid of the King, or protection shall be allowed; And the debt, damages and executions recovered against a purveyor in the case (if he hath not whereof to pay them) shall be satisfied by the Serjeant of the Catery, unto whom a *Scire facias* shall be directed for that purpose.

XLVIII. These Statutes shall be sent to the Justices of peace in every County, to the end they may be yearly proclaimed.

XLIX. **Stat.** 23 H. 6. 14. All Mayors, Bailiffs, Constables, and other Officers shall (upon request made) arrest and imprison without bail, all purveyors (except only the Kings or Queens) which take any goods or carriages from any of the Kings subjects, in pain to forfeit 20 l. to be divided betwixt the King and the party grieved, in case he will sue for it; but if not, then betwixt the King and the prosecutor; And the party offending being duly convicted thereof, shall yield to the party grieved, the treble value of the goods so ta-

ken, and double costs, and besides, shall fine to the King for the tres-pass committed.

L. Here no wager of Law, or the Kings protection shall be allowed to the defendant.

LI. This Act shall not restrain the punishment ordained against the Kings purveyors.

LII. Stat. 28 H. 6. 2. No person keeping an Hostery, Brewhouse, or Victualling, shall be a purveyor, and all Letters Patents of purveyance granted to such, shall be void.

LIII. No purveyor shall take any horse or Cart, but by the consent of the owner, or delivery of the Mayor, Sheriff, Bailiffs, or Constable, in pain to be subject to an Action of Trespass, wherein the party grieved shall recover treble damages.

LIV. Stat. 2, 3. P. M. 6. No Commission of purveyance shall continue in force above six months.

LV. In every such Commission shall be inserted the proportion and number of things to be taken; as also the County or Counties where such purveyance is to be made.

LVI. To every Commission shall be annexed blanks in parchment according to the number of the Counties into which it extends, and in every such blank shall be fair written the proportion and number of the commodities there to be taken, which shall also be subscribed by the High-Constables, Constables, or other Officers, which shall be privy to the delivery of the said goods.

LVII. The purveyor shall make writings or Dockets of all things by him taken, and subscribing his name thereunto, shall deliver them to the Constables, Head-boroughs, or other Officers of the places, where he takes the same things, in pain for every such default, to suffer one years imprisonment, and forfeit 100 marks, to be divided betwixt the King and the prosecutor; which said Dockets shall be by the said Officers delivered over to the Justices of peace at their next general Sessions, and by them certified to the Lord Steward, Treasurer, or Comptroller of the King and Queens houses, if such purveyance were for the house; but if for the Navy, then to the Treasurer, or Comptroller of the Navy, and all this to the end a true answer of the purveyors Commission may fully appear.

LVIII. This Statute shall not give liberty to purveyors, or their Deputies to execute their Office otherwise, then is provided and expressed in other Statutes heretofore made, upon the pains and penalties in the same former Statutes contained.

LIX. Statutes made and provided for purveyors, or Takers, shall also

alſo extend to their Undertakers, Deputies, and ſervants.

LX. All Commiſſions of purveyance ſhall be written in Engliſh.

LXI. **Stat.** 12 Car. 2. cap. 24. Purveyanaes for the Kings houſhold, and all carriages for purveyances, and all ſums of money or other things taken, rated, or paid in regard hereof, or of any the children of any King or Queen of England; and all conſtraint for providing Carriages for their goods without the owners free conſent (obtained without menace or enforcement) be taken away; and in recompence thereof, and of the Courts of Wards taken away, Rates of Exciſe given to the King.

LXII. **Stat.** 13 Car. 2. cap. 8. The clauſe in the Act, taking away purveyances, being inconvenient in regard of the King or Queens Royal progreſſes: It is Enacted, That the Clerk, or chief Officer of the Kings Carriages three dayes before the Kings Arrival, by Warrant from the Green-Cloth, ſhall give notice to two Juſtices of the peace adjoyning, to provide Carts and Carriage for the Kings uſe, expreſſing the time and place of attendance, every carriage to conſiſt of four horſes, or four Oxen and two horſes; for every which Carriage, the owner to receive 6 d. for every mile going laden.

LXIII. If any ſhall upon occaſion refuſe or neglect to provide Carriages accordingly for the King or Queen, his or her houſhold, and be convicted by the Oath of the Conſtable, other Officer, or two Witneſſes before any Juſtice of the Peace of the Countrey, ſuch perſon ſhall forfeit 40 s. to the Kings uſe, to be levied by diſtreſs and ſale of his goods; Provided none be compelled to travel above one dayes Journey, and upon ready payment at the place of lading.

LXIV. If any Juſtice of the Peace, or other Officer ſhall take any gift or reward to ſpare any, or ſhall impreſs any other Carriage then directed from the Green-Cloth, he ſhall forfeit 10 l. to be recovered in any the Kings Courts of Record: And any perſon taking upon him to impreſs any horſes or Carriages other then impowred, he ſhall ſuffer the puniſhment in the recited Act.

LXV. The Kings ſervants ſhall not pay above 12 d. a night for a bed, and 6 d. for a ſervants bed, and where they pay for their diet, and horſemeat, beds ſhall be provided gratis.

LXVI. Two Juſtices of the Peace near the Road, after notice from the Green-Cloth, or Avenor, under their hands and ſeals, ſhall ſet and proclaim the rates and prizes to be paid during the Kings ſtay for Hay and Oats, and other accomodations for horſes; and none ſhall take more, upon pain of 40 s. to be levyed by warrant of the ſaid Juſtices upon the Offendors goods.

LXVII. This Act to continue untill the end of the first Session of the next Parliament, and no longer.

LXVIII. Stat. 14 Car. 2. cap. 20. The said clause of the Stat. 12 Car. 2. cap. 24. of setling a revenue upon the King in lieu and recompence for taking away the Court of Wards and Purveyance, being recited; It is notwithstanding Enacted.

LXIX. That Carriages shall be provided for the use of the Kings Navy and Ordnance, upon notice in writing by appointment of the Lord Admiral, or two or more of the principal Officers or Commissioners of the Navy or Master or Lievtenant of the Ordinance, directed to two Justices of the Peace near the place where the same are to be provided.

LXX. The said two Justices of the Peace shall issue their Warrants to such adjacent Parishes, Hundreds, or Divisions as they shall think fit, not above 12 miles distant from the place of lading. The Owners to receive for every load of Timber, 12 d. *per* mile, and for every other provision 8 d. the mile *per* Tun from the place of lading.

LXXI. The Lord Admiral or Officers above mentioned, may likewise impress Ships, Hoyes, and Boats for the Carriages imployed for the Navy, and Ordnance, at the rates *per* Tun usually paid by Merchants, and upon difference, to be setled by the Brotherhood of *Trinity*-house of *Deptford-strand*.

LXXII. If any the Kings subjects shall refuse or neglect to perform the service in carriage, upon conviction as aforesaid for land-Carriages, and for Water-carriages by the Oath of such persons as shall be appointed by the Lord Admiral, or principal Officers aforesaid, or two credible Witnesses, shall for every such default of Land-Carriage, forfeit 20 s. And for water-carriage, treble the fraight of the ship or vessel, to be levyed by the Justices of the Peace, or other chief Officer of Corporations, or from the principal Officers of the Navy aforesaid, by distress and sale of the Offendors goods.

LXXIII. Provided no person or carriage be forced to travel further, or continue longer then by order of the said Justices of the Peace, and ready payment at the place of lading.

LXXIV. No Officer impowred shall take any gift or reward, to spare any person, nor none shall be charged injuriously of evil will, no more then necessity of service shall require, or then shall be commanded by the superiours, upon forfeiture of 10 l. to the party grieved, to be recovered by Action of debt; and if any shall take upon him to press any horses, or Carriage, being not lawfully impowred, to incur the penalty in the Act for taking away purveyances mentioned.

LXXV.

LXXV. Proviſo, no ſhip or veſſel fraighted by Charter-party, if there be other veſſels in the Port, nor any veſſel quarter-laden outward bound, ſhall be lyable to be impreſſed.

LXXV. Proviſo, to allow the Inhabitants of New-Forreſt, in the County of *Southampton*, 4 d. *per* mile extraordinary going empty.

This Act to continue till the end of the firſt Seſſion of the next Parliament, and no longer.

Quakers.

1. Stat. 13, 14 Car. 2. cap. 1.

IF any perſons who maintain, That the taking of an Oath in any caſe whatſoever (though before a lawful Magiſtrate) is unlawful and contrary to the Word of God, ſhall wilfully refuſe to take an Oath, by the Laws of the land being duly tendred, or ſhall perſwade any other to forbear the taking the ſame ſo tendred, or ſhall go about by Printing, writing, or otherwiſe to maintain, That the taking of an Oath in any caſe whatſoever, is unlawful: And perſons called Quakers, may not aſſemble themſelves together above 5 in number of the age of 16 years or more, under pretence of Religious Worſhip, upon penalty for the firſt Offence, upon conviction by verdict, or confeſſion, a fine not exceeding 5 l. The ſecond offence 10 l. upon every offendor. To be levyed by Warrant of the parties before whom the conviction ſhall be, and for want of diſtreſs and non-payment within one week after conviction, for the firſt offence, Impriſonment or houſe of Correction three Months, the ſecond offence ſix Months, which penalties ſhall be imployed for the maintaining the houſe of Correction.

II. The third offence and conviction, the party offending ſhall abjure the Realm, or otherwiſe the King may give order to tranſport the offendor to any of his Majeſties Plantations beyond the Seas.

III. Juſtices of Oyer and Terminer, Aſſiſe, Goal-delivery, and Juſtices of the Peace in open Seſſions, may hear and determine the ſaid offences within their reſpective limits.

IV. Any Juſtice of the Peace, Mayor, or chief Officer of a Corporation, may commit to the Goal, or bind over perſons with ſufficient ſureties in order to their conviction.

V. Such perſons as after conviction ſhall take ſuch Oaths for which they ſtand committed, and give ſecurity to forbear meeting in any ſuch unlawful aſſembly, ſhall be diſcharged of all the ſaid penalties.

VI.

VI. A Lord of Parliament for every third offence within this Act shall be tryed by Peers.

Queen.

I. Stat. 1. M. Parl. 2. 1. ALL Regal power of this Realm, and all dignities and preheminences thereunto belonging, shall be as well in a Queen, as in a King.

Quod Permittat.

I. West. 2. 24. 13 E. 1. In like manner as a Parson of a Church may recover common of pasture by a writ of *Novel disseisin*, so his successor shall have a *Quod permittat* against the Disseisor or his heir, though there was never such a Writ granted out of the *Chancery* before.

Rape.

I. West. 1. 13. 3 E. 1. NOne shall ravish or take away by force, any Maid within age (neither by or without her consent) nor any Wife or Maid of full age, nor any other woman against her will.

II. Here any person may sue within 40 dayes; but if not, then the King shall have the suit, and such as be found culpable, shall suffer two years imprisonment, and make fine at the Kings will; and if they have not whereof, they shall be punished by longer imprisonment, as the trespass requireth.

III. West. 2. 34. 13 E. 1. If a man ravish a Woman, married, Maid, or other, where she did not consent, neither before nor after, he shall have judgment of life and member.

IV. Where a man ravished a woman married, Lady, Damosel, or other, albeit she consent after, yet he being attainted thereof, shall have like judgment as before; and here the King shall have the suit.

V. Of

V. Of women carried away with the goods of their husbands, the King ſhall have the ſuit for the goods ſo taken away.

VI. If a woman willingly leave her husband, and go away, and continue with her Advowterer, ſhe ſhall be barred for ever of action to demand her Dower, unleſs her husband willingly (and without coertion of the Church) reconcile her, and ſuffer her to dwell with him.

VII. None ſhall carry away a Nun from her houſe (albeit ſhe conſent) in pain to ſuffer three years Impriſonment, and to make ſatisfaction to the houſe, and fine to the King.

VIII. Stat. 6 R. 2. 3. Both the Raviſher, and Raviſhed (where ſhe conſents after the fact) are diſabled to have or challenge any Inheritance, Dower, or joynt eſtate after the death of their Husband or Anceſtor.

IX. In an appeal of Rape, the Husband, Father, or next of the bloud ſhall have the ſuit, and the Defendant ſhall not be received to wage battel.

Reaſonable Aid.

I. Mirr. c. 1. 35. E. 1. and 25 E. 3. Stat. 5. 11. Reaſonable Aid to make the Kings eldeſt Son a Knight, and to marry his eldeſt Daughter, ſhall be for a Knights fee holden of the King without mean, 20 s. and every 20 l. land in ſoccage ſhall pay as much, and ſo more or leſs, according to that rate; And it ſhall be levied at 15 years age of the Son, and 7 years of the Daughter: Here, if the Father levy it, and dye, and before the marriage of the Daughter, the Fathers executors ſhall be charged therewith, and if they have not aſſets, the heir ſhall be therewith charged.

Receivers.

I. Stat. 34 H. 8. 2. All Collectors of Fifteens and Subſidies, or other tax or loan, and all particular and general Receivers of the Kings revenues, ſhall within three months after the ſame are due, and by them received, truly pay them unto the Kings uſe, in pain to loſe their Offices, and alſo to forfeit 4 s. for every pound ſo received, and not paid in, as aforeſaid, to be recovered by Bill, Plaint, or Action of Debt at the Kings ſuit: Howbeit lawful tender thereof within the ſaid time, ſhall excuſe the ſaid penalties, albeit they be not then received by the proper Officer, by reaſon of other occaſions.

Pro-

II. Provided, that the heir of any ſuch Collector or Receiver, ſhall not be charged (by reaſon of this Act) but only in lands, which deſcend in fee-ſimple, or fee-tail, or which have been conveyed unto him by colluſion from ſuch Collector, or Receiver; neither ſhall their executors, or adminiſtrators be otherwiſe charged for the ſame, then as they are chargeable by the Common Law in action of debt, commenced againſt them, as Executors, or Adminiſtrators.

III. The heir being charged, ſhall have remedy againſt the Executors or Adminiſtrators of his Father or Anceſtor, and ſhall have execution of ſuch goods and chattels, as remain in their hands at the time of the Action brought.

IV. This Act ſhall not extend to the Collectors of the Cuſtome, or of Tunnage and Poundage: nor to reſtrain the payment of penſions, fees, annuities, rents, or other allowances to be paid by the ſaid Receivers, according to the ſeveral allowances thereof.

V. **Stat. 7 E. 6.** 1. Every Treaſurer general, and particular Receiver, Bailiff, and Miniſter Accomptant to the King ſhall before his entry upon the Office, be bound with ſurety, or ſureties for his true account and payment, in pain to loſe his Office.

VI. Every ſuch Receiver, his Deputy, or Deputies, ſhall yearly make Precepts to the ſeveral Collectors, Miniſters, and Bailiffs, accountant within the circuit of his Office, charging them thereby perſonally to appear before him, or by their Deputy, or Deputies (for whom they will anſwer) within the County where ſuch Offices do lye, at a certain day and place in the ſaid Precept to be limited, to pay in ſuch moneys as ſhall be due (within their Collections) to the King, at or before *Eaſter*, which Precept ſhall be delivered unto them or left at their houſes, or the places where their Collections are, twelve dayes (at leaſt) before the day of appearance.

VII. Here, if the Accomptant make default of appearance, and be thereof duly convicted in the Court, where the revenue is, he ſhall forfeit for the firſt offence, his whole fee for that year, or the value thereof; and for non-payment of the money then due, ſhall loſe for the firſt offence 6 d. in the pound for every moneth after the ſaid day of appearance, untill it be paid in unto the Receiver.

VIII. Like Precepts are to be ſent unto the ſaid accomptants by the Auditor for appearance at the Audit at a certain day after *Michaelmas*, and for accompting there before him for moneyes due, at or before that Feaſt, upon the like penalties (for the firſt offence) as before, if they appear not, or refuſe to accompt; they are then alſo to pay in to the Receiver all moneyes found due by the Auditor upon their accompts.

For

IX. For the ſecond default of appearance at the Audit, they ſhall loſe their Offices; and for their ſecond offence of not paying in the moneyes due, at or before *Michaelmas*, they ſhall forfeit 12 *d.* for every month untill they be paid.

X. The Receivers ſhall yearly pay in all moneys due, at or before *Eaſter* (which they know to be due, and can by any lawful means receive) by the 20 of *June*, at fartheſt, as thoſe due, at or before *Michaelmas*, by the 20 of *January*, in pain to forfeit 2 *d.* in the pound for every day that they ſo make default of payment.

XI. Every Receiver ſhall yearly enter into his accompt in *Hillary* Term, finiſh it before the tenth of *March*, and pay in all the moneyes due upon his accompt, before the 20th of *March*, in pain to forfeit 4 *d.* in the pound for every day that he with-holds the ſame longer.

XII. Every Receiver, Collector, and Bailiff, hath power to diſtrain for arrears, and to order the ſaid diſtreſſes in like ſort, as any Officer of the Exchequer, for non-payment of the Kings rents and revenues have lawfully uſed to do, delivering to the party diſtrained the overplus of the value of every ſuch diſtreſs, the Kings debts being firſt paid, and the diſtrainment anſwered his reaſonable coſts.

XIII. The Kings chief Officers of the Kings Courts of Revenue (being of Record) have power to ſet fines and amerciaments upon Sheriffs for not returning, or miſ-returning of Writs iſſued out for the levying of the Kings debts or revenues.

XIV. All Treaſurers, Chamberlains, general Receivers and Cuſtomers, ſhall upon 10 dayes notice, (from the king, or ſix of the Privy Council) render an accompt of what moneys are in their hands, and ſhall make ready payment thereof, in pain to loſe their places.

XV. The ſaid Treaſurers, Chamberlains, and general Receivers, or their Deputies, ſhall yearly, before the 20th of *June*, make a perfect accompt of all ſuch moneys as came to their hands, before the 20th of *March* next before, and ſhall make a perfect and whole declaration in writing, of the money remaining in their hands (to the King or his Council) yearly, before the laſt of *June*, and ſhall make payment thereof, as they ſhall be afterwards commanded by ſufficient Warrant, in pain to forfeit their Offices.

XVI. No Treaſurer, Receiver, or Miniſter, Accomptant, or their Deputies, ſhall receive for the payment, or any Fees, Annuities, Penſions, Duties, or Warrants, more, or otherwiſe then they lawfully may by former Laws and Statutes in that behalf provided, in pain to forfeit for every penny, or pennyworth, otherwiſe taken, 6 *s.* 8 *d.* to the party grieved, to be recovered by Bill, Plaint, or Action of debt.

The

XVII. The Auditor that refuseth, or delayeth to take an accompt so that the Accomptant cannot pass his accompt within the time above limited, shall forfeit as much as the Accomptant should have forfeited, and the Accomptant shall be discharged thereof.

XVIII. The Auditor or his Deputy shall in convenient time (upon the request, and at the costs of the Accomptant) deliver unto the Accomptant, a duplicate or copy of his accompt under his or their hand, in pain to forfeit 10 *l.* to the King.

XIX. This Act shall not extend to Archbishops or Bishops, concerning their accompts of payment of tenths; nor to any Sheriff, Escheator, or Collector of *Dismes*, *Quindismes*, Benevolences, contributions, or Subsidies, the Subsidies of Tonnage and Poundage only excepted.

Recognisance and Statute-Merchant.

I. **Acon Burnel**, 11 *E.* 1. The Merchant that will be sure of his debt, shall cause his debtor to come before the Mayor of *London*, *York*, or *Bristol*, or before the Mayor and Clerk (which the King will appoint) to acknowledg the debt and the day of payment; which recognisance shall be entred into a Roll with the hand of the said Clerk.

II. The Clerk shall make with his own hand a Bill Obligatory, whereunto the seal of the Debtor shall be put together within the Kings Seal, to be appointed for that purpose; which Seal shall remain in keeping of the said Mayor and Clerk.

III. If the Debtor fail at the day, upon notice thereof to the Mayor and Clerk, they shall cause his chattels, and divisible Burgages to be sold, as far as the Debt doth amount, by appraisement of honest men, and the money without delay shall be paid to the Creditor; and in case they cannot sell them, they shall cause so much of the moveables to be delivered unto him as amount to the Debt, and the Kings Seal shall be put unto the sale and deliverance of the Burgages.

IV. If the Debtor have no moveables within the Mayors jurisdiction, then shall the Mayor send the Recognisance unto the Chancellor under the Kings Seal, and the Chancellor shall thereupon direct a Writ to the Sheriff, in whose Bailiwick the moveables of the Debtor be, who shall proceed therein, as the Mayor might have done, if the said moveables had been in his power.

V. If the Appraisors set too high a value upon the things that are to be sold, they shall be compellable to take them at the same price,

price, and ſhall forthwith be anſwerable to the Creditor for his Debt: And albeit the moveable goods are ſold for leſs than they are worth, yet is the Debt without remedy; and it ſhall be imputed to his own folly, that he would not ſell them himſelf, when he might.

VI. If the Debtor have no moveables, whereupon the debt may be levied, he ſhall be impriſoned, and there remain untill he agree with the Creditor; and if he be in want, the Creditor ſhall find him bread and water, which the priſoner ſhall alſo ſatisfie before he be enlarged: a Merchant-ſtranger ſhall alſo be ſatisfied for his ſtay about the ſaid buſineſs.

VII. If the Debtor have ſureties, they ſhall be bound and proceeded againſt in like form, as is before declared againſt the Debtor; Howbeit, ſo long as the Debt may be levied of the goods moveable of the Debtor, his pledges or main-pernors ſhall be without damage.

VIII. **Stat.** *De Mercatoribus*, 13 *E.* 1. The Merchant ſhall cauſe his Debtor to come before the Mayor of *London*, or before ſome chief Warden of a City, or other good Town, where the King ſhall appoint, and before the Mayor or chief Warden or other diſcreet men choſen and ſworn thereto, when the Mayor or chief Warden cannot attend, and before one of the Clerks, that the King ſhall thereto aſſign when both cannot attend, and to acknowledg the Debt and Day of payment, which recogniſance ſhall be enrolled by one of the ſaid Clerks hands, being known, and the Roll ſhall be double; whereof one part ſhall remain with the Mayor, or chief Warden, and the other with the ſaid Clerk.

IX. Then one of the Clerks ſhall write an Obligation, whereunto the Seal of the Debtor ſhall be put together with the Kings Seal provided for that purpoſe; which Seal ſhall have two pieces, whereof one part ſhall remain with the Mayor or chief Warden, and the other with the aforeſaid Clerk.

X. If the debt be not paid at the day, upon the Merchants accompt, the Mayor or chief Warden ſhall cauſe the Debtor to be impriſoned (if he be Lay, and in their power) there to remain at his own coſts, untill he have agreed the debt; And the Keeper of the Priſon there ſhall receive him, in pain to anſwer the debt himſelf, or (if he be not able) he that committed the Priſon to his keeping.

XI. If the Debtor cannot be found by the Mayor, or chief Warden, they ſhall ſend the Recogniſance under the Kings Seal into the Chancery, from whence ſhall iſſue a Writ to the Sheriff of the County, where the Debtor is, to take his body (if he be Lay) and ſafely to keep him in priſon, untill he agree the debt; And within

a quarter of a year after he is ſo taken, his goods and lands ſhall be delivered unto him, to the end he may pay the debt, within which time the ſale of his lands ſhall be good.

XII. If he do not ſatisfie the debt within that quarter, all his lands and goods ſhall be delivered to the Merchants, by a reaſonable extent, to hold them, untill the debt be wholly levied, nevertheleſs, his body ſhall ſtill remain in Priſon, and the Merchant ſhall find him bread and water.

XIII. The Merchant or his aſſigns ſhall have ſuch Seiſin in the ſaid lands, that he may maintain a Writ of *Novel Diſſeiſin*, if he be put out, and a *re-diſſeiſin* alſo, as of a freehold to him and his aſſigns untill the debt be paid; but when the debt is levied, the body of the Debtor ſhall be delivered, together with his lands.

XIV. In the Writ awarded by the Chancellor, the Sheriff ſhall be directed to certifie the Juſtices of one of the Benches at a certain day, how he hath performed the ſervice, and then the Merchant ſhall ſue before the ſaid Juſtices, if he be not ſatisfied.

XV. If the Sheriff make no return of the Writ, or return a *tarde*, or that he hath directed to the Bailiff of ſome Franchiſe, the Juſtice ſhall proceed according to the Statute of *Weſtminſter*, 2. *Chap.* 39. *which ſee in return of Sheriffs and Bailiffs.*

XVI. If the Sheriff return a *Non eſt inventus*, or that he is a Clerk, the Merchant ſhall have Writs to all the Sheriffs, where he hath any land, that they ſhall deliver him all the goods and lands of the Debtor, by a reaſonable extent, to hold to him and his aſſigns in form aforeſaid; nevertheleſs, he may alſo have a Writ to what Sheriff he will, to take his body (if he be Lay) and to detain him in manner aforeſaid, and then the Keeper muſt anſwer the body, or the debt; but yet the Debtor may ſell the lands ſo the Merchant be not damnified by the appraiſement.

XVII. Here, the Merchant ſhall be always allowed their damages, and all neceſſary and reaſonable coſts for their labours, ſuits, delays, and expences.

XVIII. If the Debtor have ſureties, the like courſe ſhall be taken againſt them, as is above limited to be taken againſt the principal Debtor.

XIX. All the lands in the hands of the Debtor at the time of the Recogniſance acknowledged are chargeable, in whoſe hands ſoever they come afterwards; but after the debt ſatisfied, they ſhall return to the Grantees, as alſo the reſt to the debtor.

XX. If the debtor or his ſureties die, the Merchant ſhall not take the body of his heir, but ſhall have his lands, as aforeſaid, if he be

of

of age, or at his full age, untill he hath levied his debt.

XXI. There shall be also another Seal provided, that shall serve for Fairs, and shall be sent to every Fair under the Kings Seal by a Clerk sworn, or by a keeper of the Fair.

XXII. Of the Communalty of *London*, there shall be two Merchants chosen and sworn, and the Seal shall be opened before them; whereof one piece shall be delivered to the said Merchants, and the other shall remain with the Clerk.

XXIII. Before these Merchants, or one of them, the Recognisances shall be taken, and before they be enrolled, the pain of the Statute shall be openly read before the Debtor, that he may not afterwards excuse himself by ignorance of the said pain.

XXIV. For the Clerks maintenance, the King shall take a peny for every pound, where the Seal is, except in Fairs, and there peny half peny.

XXV. This Act shall be from henceforth observed throughout *England* and *Ireland*, between any that will make Recognisances, except *Jews*, to whom it dothnot extend.

XXVI. By this Statute, the Writ of Debt shall not be abated, neither shall the Chancellor, Justice of either Bench, or Justices Errants be hereby estopped to take recognisances of debts before them acknowledged, and to issue execution thereupon, as hath heretofore been used.

XXVII. *Breve fundatum super Statutum prædictum:*

Rex Vic. salutem. Quia coram tali Majore vel Custode talis villæ, vel tam Custode sigilli nostri de Mercatoribus in nundinis de tali loco, & tali clerico nostro A. Recognovit debere B. *tantum, quod solvisse debuit tali die & tali anno, quod idem* B. *Nondum solvit ut dicit: Tibi præcipimus quod eum prædicti* A. *(si laicus sit) capias, & in prisona nostra salvo custodiri facias, quousque de prædicto debito satisfecerit; & qualiter hoc præceptum nostrum fueris executus, scire facias Justiciariis nostris apud Westm. per literas tuas sigillatas, & habeas ibi hoc breve Teste*, &c.

XXVIII. **Stat.** 14 *E.*3.11. The Clerk of the Statute shall be resident upon his Office, and shall have lands sufficient in the same Country, whereof he may answer to all persons if he offend.

XXIX. **Stat.** 8 *R.*2.4. No Judge or Clerk shall make any false entry of Pleas, rase any Roll, or change any Verdict, in pain to be punished by fine and ransome at the Kings will.

XXX. **Stat.** 5 *H.*4.12. When a Statute-Merchant hath been certified into the Chancery, and thereupon a Writ awarded to the Sheriff, and returned into the Common Pleas, and the Statute thereupon shewed, albeit the process thereof be after that discontinued,

yet the party ſhall have the proceſs re-continued, and ſhall alſo have re-execution upon the ſame Statute, without ſhewing it again to the Court.

XXXI. Stat. 11 *H.* 6. 10. He that ſueth for a *Scire facias* in Chancery, to defeat an Execution upon a Statute-ſtaple, ſhall find ſurety both to the King and the Recognizee to proſecute his Suit with effect, &c.

XXXII. Stat. 23 *H.* 8. 6. The Chief Juſtices of the Kings Bench and Common Pleas, or either of them, or (in their abſence out of the Term) the Mayor of the Staple at *Weſtminſter*, and the Recorder of *London*, joyntly together, ſhall have power to take Recogniſances for the payment of debts, in this form following:

XXXIII. *Noverint univerſi per præſent. nos* A.B. *&* D.C. *teneri & firmiter obligari Johanni* Style *in cent. libr. Sterling, ſolvendis eidem Johanni, aut ſuo cert. Atornat. hoc ſcript. oſtend. hæred. vel execut. ſuis in tal. feſt.* &c. *proxim. futur. poſt. dat. præſent. & ſi defecero, vel defecerimus in ſolutione debit prædict. Volo, & conced.* vel ſic, *Volumus & concedimus quod tunc currat ſuper me hæred. & execut. meos,* vel, *Super nos, & quemlibet noſtrum hæred. & execut. noſtros pœna in ſtatuto Stapul. de debit. pro Merchandiſis in ead. emptis recuperand. ordinat. & proviſ. dat. tali die, Anno regni regis,* &c.

XXXIV. Such Obligation ſhall be ſealed with the Seal of the Recogniſor or Recogniſors; as alſo with ſuch a Seal as the King ſhall appoint for that purpoſe, and with the Seal of one of the chief Juſtices, or the Seals of the ſaid Mayor of the Staple, and Recorder, and every of the ſaid Juſtices, and the ſaid Mayor and Recorder, ſhall have the cuſtody of one ſuch Seal, to be appointed by the King as aforeſaid.

XXXV. The Clerk of the Recogniſances (to be alſo appointed by the King) or his ſufficient Deputy or Deputies ſhall write and inroll ſuch Obligations in two ſeveral Rolls indented, whereof one ſhall remain with ſuch of the ſaid Juſtices, or with the ſaid Mayor and Recorder that take ſuch Recogniſance, and the other with the writer thereof: Alſo ſuch Clerk or his Deputy or Deputies ſhall be dwelling or abiding in *London*, and ſhall not be abſent from thence by the ſpace of two days, in pain to forfeit 10 *l.*

XXXVI. The Clerk or his Deputy (at the requeſt of the Creditors, their Executors or Adminiſtrators) ſhall certifie ſuch Obligations into the Chancery under his or their Seal.

XXXVII. The Recogniſees of ſuch Obligations, their Executors and Adminiſtrators, ſhall have in every point, degree and condition, againſt the Recogniſors, their Heirs, Executors and Adminiſtrators, ſuch

such Process, Execution, commodity, and advantage, as hath been had upon an Obligation of the Statute of the Staple, and shall also pay like Fees for the same.

XXXVIII. Here the Recognisor so bounden, or otherwise grieved by such an Obligation, shall have like remedy by *Audita Querela*, and all other remedies in the Law; as upon Obligations of the Statute of the Staple.

XXXIX. Upon the sealing of the process for the execution of every such Obligation, the King shall have an half-peny in the pound.

XL. The Tenant by such a Recognisance, his Executors or Administrators being outed, shall have like remedy, as upon an Obligation of the Statute of the Staple.

XLI. The Justices, or the Mayor and Recorders fee for taking such a Recognisance, is 3 *s.* 4 *d.* and the Clerks fee is as much, and his fee for certifying such an Obligation, is 20 *d.* And none of them shall take more, in pain of 40 *l.*

XLII. From henceforth, the Mayor or Constable of the Staple, shall take no Recognisance of the Statute of the Staple, in pain of 40 *l.* except between Merchants, being free of the same Staple, for Merchandize of the said Staple, between them lawfully bought and sold.

XLIII. The forfeitures aboveſaid, are to be divided betwixt the King and the prosecutor, and proved by Information, Action of Debt, Bill, or Plaint, in which no Essoin, *&c.* shall be allowed.

XLIV. **Stat.** 16 and 17 *Car.* 2. *cap.* 5. When any Judgment, Statute, or Recognisance shall be extended, it shall not be avoided or delayd, by occasion of omission of any part of the Lands or Tenements extendible, saving always the remedy of contribution, against such persons whose Lands be or shall be extended out of such Extent from time to come.

XLV. Provided, This Act give no extent or contribution against any heir within the age of 21 years, during such minority, further than might have been before this Act.

XLVI. Provided, This Act extend only to such Statutes as be for payment of moneys: And to such Extents as shall be within 20 years after the Statute, Recognisance, or Judgment had.

This Act to continue 3 years, and from thence to the end of the next Session of Parliament, and no longer.

Records.

I. **Stat.** 9 E. 3. 5. Juſtices of Aſſize, Goal-delivery, and *Oyer* and *Terminer*, ſhall yearly at *Michaelmas* ſend all their Records and Proceſſes (determined and put in execution) into the Exchequer, which the Treaſurer and Chamberlains there ſhall receive under their ſeals, and keep them in the Treaſury: Howbeit the ſaid Juſtices ſhall firſt take out the Eſtreats of the ſaid Records and Proceſſes, to ſend them to the Exchequer, as they were wont to do.

Recoveries.

I. **Stat.** 7 H. 8. 4. Recoverers of Manners, Lands, Tenements, and Advowſons, their Heirs and Aſſigns, may diſtrain for Rents, Services and Cuſtoms due and unpaid, and make Avowry, and juſtifie the ſame, and have like remedy for recovering them, as the Recoverer might have done or had; Albeit the ſaid Recoverers were never ſeiſed thereof: And ſhall alſo have a *Quare Impedit* for an Advowſon, if (upon a Voydance) any diſturbance be made by a ſtranger, as the Recoverers might have had, albeit they were never ſeiſed thereof by preſentation.

II. Here every Avowant, or Bailiff in any *Replegiarie*, or ſecond Deliverence, if their Avowrie, Conuſance, or juſtification be found for them, or the Plaintiff be otherwiſe barred, ſhall recover his damages and coſts.

III. **Stat.** 21. H. 8. 15. A Termer for years, may falſifie a feigned Recovery had againſt them in the Reverſion, and ſhall retain and enjoy his Term againſt the Recoverer, his Heirs and Aſſigns, according to his Leaſe.

IV. Alſo the Recoverer ſhall have like remedy againſt the termer, his Executors or Aſſigns, by Avowrie, or Action of debt for Rents and Services reſerved upon ſuch Leaſe, and due after ſuch recovery, and alſo like action for waſte done after ſuch recovery, as the leſſor might have had, if ſuch recovery had never been.

V. No Statute of the Staple, Statute-Merchant, or execution by *Elegit*, ſhall be avoided by ſuch feigned recovery, but ſuch tenants ſhall alſo have like remedy to falſifie ſuch recoveries, as is here provided for the Leſſee for years.

VI. **Stat.** 34, 35. H. 8. 20. No feigned recovery hereafter to be had by aſſent of parties, againſt any tenant or tenants in tail of any Lands,

Lands, Tenements, or Hereditaments, whereof the reverſion or remainder at that time of ſuch recovery had, ſhall be in the King, ſhall bind or conclude the Heirs in tail, whether any condition or *Voucher* be had in any ſuch feigned recovery, or not, but that after the death of every ſuch tenant in tail, againſt whom ſuch recovery ſhall be had, the heirs in tail may enter, hold, and enjoy the lands, tenements, and hereditaments ſo recovered, according to the form of the gift in tail, the ſaid recovery notwithſtanding.

VII. And here the heirs of every ſuch Tenant in tail, againſt whom any ſuch recovery ſhall be had, ſhall take no advantage for any recompence in value againſt the *Voucher* or his heirs.

VIII. This Act ſhall not extend to prejudice the Leſſee or Leſſees of any ſuch Tenant in tail, made in writing indented of any Manors, Lands, *&c.* for 21 years, or three lives, or under, whereupon the accuſtomed rent or rents, is or ſhall be yearly reſerved during the ſame Term or Terms: but the ſame Leſſee or Leſſees, ſhall injoy his or their Term or Terms, according to the Statute of 32 H. 8. 28. (*which ſee in Leaſes*) this Act notwithſtanding.

IX. **Stat.** 14 *El.* 8. All recoveries had or proſecuted (by agreement of the parties, or by covin) againſt Tenants by the curteſie, Tenants in tail after poſſibility of iſſue extinct, for term of life or lives, or of eſtates determinable upon life or lives, or of any lands, tenements, or hereditaments, whereof ſuch particular tenant is ſo ſeiſed, or againſt any other, with *Voucher* over of any ſuch particular tenant, or of any having right or title to any ſuch particular eſtate, ſhall from henceforth (as againſt the reverſioners, or them in remainder, and againſt their heirs and ſucceſſors) be clearly void.

X. This Act ſhall not prejudice any perſon, that ſhall by good title recover any lands, *&c.* without fraud, by reaſon of any former right or title: Alſo every ſuch recovery had by the aſſent and agreement of the perſon in reverſion or remainder, appearing of record in any of the Queens Courts, ſhall be good againſt the party ſo aſſenting

Re-diſſeiſin.

I. **Werton.** 3. 20 H. 3. If any be diſſeiſed of their fee-hold, and before the Juſtices in *Eyre* hath recovered ſeiſin by Aſſiſe of *Novel diſſeiſin*, or by confeſſion of the diſſeiſors, and hath had ſeiſin delivered by the Sheriff, if afterwards the ſame diſſeiſors, diſſeiſe the Plaintiff of the ſame free-hold, and be thereof convict, they ſhall be impriſonod, until the King hath diſcharged them by redemption, recognition of Aſſize, Judgement, or ſome other way.

II. This is the form of punishing of such convict persons: The Plaintiff shall procure a Writ from the Kings Court, directed to the Sheriff, and containing the plaint of disseisin done upon disseisin: By this Writ the Sheriff shall be commanded, that he, taking with him the Keepers of the Pleas of the Crown and other lawful Knights, shall in proper person, go to the Land or Pasture, whereof the plaint was made, where, if they find him disseised again, the Sheriff is to do, as is above provided, but if not, the Plaintiff shall be amerced, and the other shall go quit: Howbeit the Sheriff shall not execute any such plaint without the Kings special Command.

III. There is the like Law for such as recover their seisin by Assise of *Mortdancester*, or by Enquests, if they be re-disseised by the first disseisors.

IV. **Mirth.** 8. 52 H. 3. Persons imprisoned for *re-disseisin* shall not be delivered with the Kings special command, and shall make fine to the King for their trespass: And if the Sheriff deliver any contrary to this Ordinance, he shall be grievously amerced, and yet the persons so delivered shall be also grievously punished for their trespass.

V. **Mert.** 2. 26. 13 E. 1. In Writs of *re-disseisin*, double damages shall be awarded, and the re-disseisors shall not be repleviable by the common Writ.

VI. Those that recover by default, redition, or otherwise, without recognition of Assises or Juries, shall have Writs of *re-disseisin*, as well those which recover by Assise of *Novel disseisin*, *Mortdancester*, or other Juries, provided for by the Statute of *Merton*, 20.

Relief.

I. **Magna Cart.** 2. When Lands holden of the King in chief by Knight-service, descend to an heir of full age; The reliefs are as followeth: For an Earldom, 100 *l.* For a Barony, 100 Marks. For one whole Knights fee, 100 *s.* And he that hath less, shall give less, according to the old custom of the fees.

Religion.

* I. **Stat.** 14. *Ca.* 2. *Ca.* 4. The Stat. of 1 *Eliz. Ca.* 2. recited, for uniformity of Common Prayer, and considered by certain Commissioners appointed by the King, for reviewing and altering the same: and afterward being also reviewed by the Convocation: The said Book of Common Prayer so altered, *&c.* is allowed and recommended

mended to the Parliament by the King, to be uſed under ſuch ſanctions and penalties, as the Houſes of Parliament ſhall think fit: the ſame is enjoyned to be red in all Churches, Chappels, and places of publick Worſhip in *England*, *Wales*, and Town of *Berwick* upon *Tweed*, in ſuch order as is enjoyned by the ſaid Book annexed to the ſaid Act.

II. Every Parſon, Vicar, or other Miniſter in poſſeſſion of any Eccleſiaſtical Benefice, enjoyned to read the Common Prayer upon ſome Lords day, morning and evening, before the Feaſt of St. *Bartholomew* 1662, and after ſuch reading the ſame, make the Declaration *verbatim* as followeth.

I. A. B. *do here declare my unfained aſſent, and conſent to, and every thing contained, and preſcribed in, and by the Book intituled, The Book of Common Prayer and Adminiſtration of the Sacraments, and other Rites and Ceremonies of the Church of* England, *according to the uſe of the Church of* England, *together with the* Pſalter, *or* Pſalms *of* David, *pointed as they are to be ſung, or ſaid in Churches; and the form, or manner of making, ordaining, and conſecrating of* Biſhops, Prieſts, *and* Deacons.

Upon penalty, there being no lawful impediment, and within one month after ſuch impediment removed, of being deprived ipſo facto, *as if the perſon neglecting, or refuſing ſo to do were dead.*

III. All Parſons, Vicars and Miniſters, to be after preſented, or put into any Eccleſiaſtical Benefice, enjoyned to read the Common Prayer as aforeſaid, and to make the aforeſaid Declaration, within two months after they ſhall be in actual poſſeſſion, upon the ſame penalty as aforeſaid.

IV. All Incumbents, that reſide upon their livings, and keep Curates, ſhall once every month themſelves read the ſaid Common Prayer, upon pain of forfeiture of 5 *l.* to the uſe of the poor of the upon conviction by two credible Witneſſes before two Juſtices of the Peace, to be levyed by diſtreſs and ſale of the offendors goods, by Warrant from the ſaid Juſtices to the Churchwardens or Overſeers of the poor, if not paid within ten dayes.

V. All Deanes, Canons, Prebendaries, Maſters, Fellows of Colledges, *&c.* Parſons, Vicars, Lecturers, Schoolmaſters, *&c.* enjoyned to take and ſubſcribe the Declaration following.

I, A. B. do declare, that it is not lawful upon any pretence whatſoever, to take Arms againſt the King, and that I do abhor that trayterous poſition of taking Arms by his Authority againſt his Perſon, or againſt thoſe that are Commiſſioned by him: And that I will conform to the Liturgy of the Church of *England*, as it is now by

Law eſtabliſhed. And I do declare, that I do hold there lies no obligation upon me, or any other perſon from the Oath, commonly called the Solemn League and Covenant, to endeavour any change, or alteration of Government, either in Church or State; And that the ſame was in it ſelf an unlawful Oath, and impoſed upon the Subjects of this Realm, againſt the known Laws and liberties of the Kingdom.

The ſame ſhall be ſubſcribed by the Heads of Colledges, *&c.* in the Univerſities before the Vicechancellor or his Deputy. And before the Archbiſhop or Ordinary of the Dioceſs by every other perſon, upon pain of forfeiture, and loſs of their places as if dead.

VI. Schoolmaſters or Tutors, that ſhall teach any youth in any private houſe without licence from the Archbiſhop, or Ordinary of the Dioceſs, ſhall for the firſt offence ſuffer 3 months impriſonment; for every ſecond, or other 3 months impriſonment and forfeit 5 *l.*

VII. Every Parſon, Vicar, Curate and Lecturer, after ſubſcription made, ſhall procure a Certificate under the hand and ſeal of the Archbiſhop, Biſhop, or Ordinary of the Dioceſs, and publickly read the ſame, together with the ſaid Declaration upon ſome Lords day, within 3 months then next following, in his Pariſh Church where he is to officiate in the preſence of the Congregation there aſſembled, in the time of Divine Service, upon pain of being deprived, *ipſo facto*, and his place void, as if dead.

VIII. After the 25th of *March* 1662. the words following, part of the Declaration ſhall be omitted, *viz.*

And I do declare, that I do hold there lies no obligation on me, or any other perſon from the Oath commonly called the Solemn League and Covenant, to endeavour any change, or alteration of Government, either in Church or State, and that the ſame was in it ſelf, an unlawful Oath, and impoſed upon the Subjects of this Realm againſt the known Laws and liberties of this Kingdom: and none ſhall thenceforth ſubſcribe or read the ſame.

IX. No perſon not ordained according to the form of Epiſcopal Ordination, ſhall hold any Benefice with cure or Eccleſiaſtical promotion: nor be capable of any ſuch benefice, nor adminiſter the Sacrament, not being ordained a Prieſt, according to the form of the foreſaid Book, upon pain to forfeit for every offence 100 *l.* one moyety to the King, the other moyety to the party that will ſue for the ſame.

X. Provided, the penalties in this Act, extend not to Aliens of foreign reformed Churches allowed by the King.

Provided

XI. Provided no title of laps accrue by any avoidance or deprivation by this Act, but after 6 months after notice given by the Ordinary to the Patron, or ſuch ſentence of deprivation openly read in the Pariſh Church, becoming void by this Act.

XII. No other Form of Common Prayer ſhall be uſed in any Church, Chappel, or publick place, Colledge or Hall of the Univerſities: And all Governors and Heads of Colledges in the Univerſities, ſhall within a month, after admiſſion to his place, openly in the Church, Chappel, or publick place of the Colledge, in the preſence of the Fellows and Scholars of the ſame, ſubſcribe the 39 Articles of Religion mentioned in the Stat. 13 *El.* Ca. 12. and declare his approbation of the ſaid Book of Common Prayer: And all the ſaid Governours or Heads ſhall read the morning Prayer, according to the ſaid Book, once every quarter publickly in their Church, Chappels, or other publick place, upon pain of ſuſpenſion for 6 months from their place; and if he ſhall not ſubſcribe to the ſaid Articles and Book within the ſaid 6 months, then the place to be void.

Provided the ſaid Book may be uſed in Latine in Colledges.

XIII. None ſhall preach or read as a Lecturer without Licence of the Archbiſhop, or Biſhop of the Dioceſs. And all Lecturers ſhall declare their conſent to the 39 Articles aforeſaid, and ſhall openly read the Common Prayers, and declare their approbation thereof, and ſhall read the ſame the firſt Lecture-day of every month, and after reading, declare their approbation thereof, upon pain to be diſabled to preach or read any Lecture, until he ſhall conform.

XIV. Provided, it ſhall ſuffice, that Lecturers in Cathedral Churches, only declare their aſſent to the ſaid Book.

XV. If any perſon ſo diſabled, ſhall preach any Lecture or Sermon: the perſon ſo offending, ſhall ſuffer 3 months impriſonment in the common Goal: And any two Juſtices of the Peace, and the Mayor, or other chief Officer of any City or Town Corporate, upon Certificate from the Ordinary of the place made to him or them, of the offence committed, ſhall commit the perſon offending to the Goal accordingly.

XVI. The Common Prayer ſhall be read before every Sermon or Lecture, and the Lecturer that ſhall preach, ſhall be preſent at the ſame: Provided this Clauſe extend not to Sermons or Lectures, preached as publick Univerſity Sermons.

XVII. The ſeveral Laws and Statutes formerly made for uniformity of Prayer, and now in force, ſhall be put in ure for puniſhment of offences againſt the Book eſtabliſhed by this Act 1 *El.*

Ca.

Ca. 2. 23 *El, Ca.* 1. Proviſo, the names of the King and Queen, be fitted in the Prayers, Letanies and Collects, according to the preſent occaſion.

XVIII. The Books of Common Prayer ſhall be provided by every Pariſh, Chapelry, Cathedral Church, Colledge and Hall, upon penalty of 3 *l.* a month, for lack thereof for every month after St. *Bartholmews* day 1662.

XIX. Proviſoe, that the Biſhops of *Hereford*, St. *Davids* St. *Aſaph Bangor* and *Landaff*, do take care for tranſlating the ſaid Book into the *Welſh* Tongue, for Printing and providing the ſame in every Pariſh there.

XX. True Copies of the ſaid Book of Common Prayer, ſhall be exemplified under the great Seal of *England*, and kept in the ſeveral Courts of *Weſtminſter*, and *Tower* of *London*, to be produced and ſhewed forth in Court as need ſhall be.

XXI. Provided this Act be not prejudicial to the Kings Profeſſor of Law in the Univerſity of *Oxford*, concerning the Prebend of *Shipton*, in the Cathedral Church of *Sarum*, united to the ſaid Profeſſors place by King *James*.

XXII. Proviſo, whereas the clauſe in the 36th Article, mentions the Book eſtabliſhed by K. *E.* 6. It ſhall extend to the Book of Common-prayer, eſtabliſhed by this Act. See the precedent Laws of this matter, Title Crown, and Title Service and Sacraments.

XXIII. Stat. 15. *Car.* 2. *Ca.* 6. Stat. 3. An Act for relief of ſuch perſons as by ſickneſs or other impediment, were diſabled from ſubſcribing the Declaration in the Act of Uniformity, and explication of part of the ſaid Act.

XXIV. Stat. 15. *Car.* 2. *Ca.* 5. Stat. 3. Every Veſtry-man in the Pariſhes of *London*, and other Corporations, enjoyned to make and ſubſcribe before the Arch Biſhop, or *&c.* the Declaration, and acknowledgement in the late Act intituled, An Act for Uniformity of publick Prayers, *&c.* This Act to continue in force to the end of the firſt Seſſion of the next Parliament, and no longer.

Rents,

Rents.

I. **Stat.** 32 H. 8. 37. The Executors or Adminiſtrators of tenants in Fee-ſimple, in Fee-tail, or for term of life, of rent-ſervices, rent-charges, rent-ſecks, and fee-farms, unto whom any ſuch rent or fee-farm was due, and unpaid at the time of his death, ſhall have an Action of debt for all the arrerages thereof againſt the tenant or tenants that ought to have paid them to their Teſtator, or againſt the Executors or Adminiſtrators of ſuch tenant or tenants; and ſhall alſo diſtrain for the ſaid arrerages upon the lands chargeable therewith, ſo long as they continue in the ſeiſin or poſſeſſion of ſuch tenant in Demeſne, or of any other perſon claiming, by or from him, in like manner as their Teſtator might have done: And the ſaid Executors or Adminiſtrators ſhall likewiſe for the ſame diſtreſs lawfully make avowry upon the matter aforeſaid.

II. This Act ſhall not extend to any Mannor, Lordſhip, or Dominion in *Wales*, or the Marches thereof, where the Inhabitants have uſed time out of mind, to pay to every Lord or Owner of ſuch Manners, &c. at their firſt entry into the ſame, any ſum or ſums of money, for the diſcharge of all duties, forfeitures and penalties wherewith the inhabitants were chargeable to any of their ſaid Lords, Anceſtors, or Predeceſſors before their ſuch entry.

III. If any perſon hath in right of his wife any eſtate in Fee-ſimple, Fee-tail, or for term of life, in any ſuch rents or Fee-farms, and the ſame happen to be due and unpaid in his Wives life, ſuch huſband, after the death of his wife, his Executors and Adminiſtrators ſhall have an action of Debt for the ſaid arrerages, againſt the tenant of the Demeſne, that ought to have paid the ſame, his Executors or Adminiſtrators, and ſhall likewiſe diſtrain for the ſame, and make Avowry, as he might have done if his Wife were living: The like power hath tenant *per auter vie* for arrerages due and unpaid in the life time of *Ceſtuy que vie*.

Repleader.

I. **Stat.** 32 H. 8. 30. In all Actions after iſſue had, there ſhall be judgment given, notwithſtanding any miſ-pleading, lack of colour in ſufficient pleading, or *Jeofaile*, Miſ-continuance, Diſ-continuance, miſ-conveying of Proceſs, miſ-joyning of iſſue, lack of warrant of Attorney of the party againſt whom the iſſue ſhall be tryed, or any other default or negligence of any of the parties, their Counſellors or Attorneyes. Provi-

II. Provided, that every Attorney ſhall deliver, or cauſe to be delivered, his or their ſufficient and lawful Warrant of Attorney, to be entred of Record for every Action or ſuit wherein he is named Attorney, to the Officer or his Deputy, ordained for the receipt and entring thereof, in the ſame Term, when the iſſue of the ſaid Action is entred of Record, or before, in pain to forfeit 10 *l.* to the King, and to ſuffer impriſonment at the diſcretion of the Juſtices of the Court, where ſuch Action depends.

Replevin of Cattel.

I. **Marlb.** 21. 52 H. 3. If Beaſts be taken, and wrongfully withholden, the Sheriff, (upon complaint thereof) may deliver them, without let or gainſaying of him that took them, if they were taken out of Liberties; but if within any liberties, and the Bailiffs thereof will not deliver them, the Sheriff upon ſuch Bailiffs default, ſhall cauſe them to be delivered.

II. **Weſt.** 2. 2. 13 E. 1. Where, upon Replevins, Lords cannot obtain Juſtice in Counties, and other inferiour Courts againſt their tenants, when ſuch Lords are attached at their tenants ſuit, a Writ ſhall be granted them (*viz.* a *Recordare*) to remove the plea before the Juſtices, where Juſtice ſhall be done them; And the cauſe ſhall be inſerted in the Writ, *viz.* becauſe ſuch a man diſtrained in his fee for ſervices and cuſtoms to him due.

III. Here, the Avowry ſhall be upon the ſeiſin of any Anceſtor, or Predeceſſor, ſince the time that a Writ of *Novel diſſeiſin* hath run.

IV. The Sheriff or Bailiffs ſhall not only take pledges of the Plaintiff to proſecute his ſuit, but alſo return the Cattel, in caſe return be awarded; And if pledges be otherwiſe taken, he ſhall anſwer the Lord for the price of the Beaſts, to be recovered by Writ; And if the Bailiff be not able to reſtore them, his ſuperior ſhall do it.

V. If after return once awarded, the Beaſts are again replevied, or, as ſoon as the return of the Beaſts is the ſecond time awarded, the Sheriff ſhall be commanded by a judicial Writ, to make return thereof to the diſtrainer, in which Writ it ſhall be expreſſed, that the Sheriff ſhall not deliver them without a Writ making mention of the Judgment given by the Juſtices, and ſuch Writ is to iſſue out of the Rolls o the ſaid Juſtices; after which, if the Plaintiff deſire to replevy his Beaſts, he ſhall have a judicial Writ (*viz.* a *writ of ſecond deliverance*) that the Sheriff taking ſurety for the ſuit, and alſo of the beaſts to be returned, or their price (if return be awarded) ſhall deliver the Beaſts before returned, and the diſtrainer ſhall be attached

attached to come before the Justices at a certain day; and if he that replevied make default, or for some other cause, return of the distress is awarded (being now twice replevied) the distress shall afterwards remain unreplevied.

Receipt.

I. The Statute of *Gloucester*, 11. 6 E. 1. When a man leaseth his tenement in *London*, and he in reversion or remainder, causeth himself to be impleaded by Collusion, and to make the termer lose his term, loseth by default, or giveth it up; In this case, the Mayor and Bailiffs may enquire by Enquest, whether such plea was moved upon good right, or by covin; and if it be found that it was upon good right, Judgment shall be forthwith given; but if it be found by fraud to cause the termor to lose his term, the termer shall enjoy his term, and the execution of the Judgment for the demandant shall be suspended until the term be expired: In like manner shall it be of equity before the Justices, if the termor challenge it before the Judgment.

II. **Stat.** *De defensione Juris*, 20 E. 1. When any one demandeth tenements by the Kings Writ, and a stranger before Judgment comes in by a Collateral title, and desireth to be received, before his receipt, he shall find sufficient surety (as the Court will award) to satisfy the demandant the value of the lands so to be recovered from the day that he is so received, until final judgment given to the demandant.

III. Here, if the demandant recover, the defendant shall be grievously amerced, and if he have not whereof, he shall suffer imprisonment at the Kings pleasure; but if he can prove his right, he shall go quit.

IV. **Stat.** 13 R. 2. 17. If any tenant for life, in Dower, by the Law of *England*, or in tail after possibility of issue extinct be impleaded, and he in the reversion come into the Court, and pray to be received to defend his right, at the day that the tenant pleadeth to the Action, or before; he shall be then received to defend his right, and after such receipt, the business shall be hasted as much as may be by the Law without any delay whatsoever of either side: And therefore here dayes of grace shall be given by the discretion of the Judges between the demandant and the party so received, and not the common day in plea of land, unless the demandant will thereunto consent, lest the demandants may be too much delayed, because they must plead to two adversaries.

How-

V. Howbeit they in the reversion, who so pray to be received, shall find sureties for the issues, of the tenements demanded for the time that the demandants be delayed, after the plea determined between the demandants and tenants, if the Judgment pass for the demandant against them in the reversion, as well as where the receit is counter-pleaded, as where it is granted.

Residence.

*I. **Artic. Cler.** 8. 9 E. 2. Such Clerks as attend in the King's service, if they offend, shall be corrected by the Ordinaries, as others be; Howbeit, so long as they be imployed about the Exchequer, they shall not be bound to keep residence in their Churches. *To this was added by the Kings Council*: The King and his Ancestors time out of mind have used, that Clerks, who are imployed in his service, during the time they are so in his service, shall not be compelled to keep residence in their Benefices, and such things as be thought necessary for the King and Common-wealth, ought not to be prejudicial to the Church.

*II. **Stat.** 21 H. 8. 13. No spiritual person shall take to farm (to himself, or to any other for his use) any lands or other hereditament for life, years, or at will, in pain to forfeit ten pounds for every month he so continues the same, to be divided betwixt the King and the prosecutor.

III. This Act shall not extend to any spiritual person for taking to farm any temporalities (during the time of vacation) of any Archbishopricks, Bishopricks, Abbeyes, Priories, or Collegiate, Cathedral, or Coventual-Churches, nor to any such person who shall tender, or make any traverse upon any Office, concerning his Freehold.

IV. No spiritual person shall (by himself, or any other for his use) buy to sell again for profit, any cattel, victual, or Merchandize whatsoever, in pain to forfeit treble the value thereof, to be divided betwixt the King and the prosecutor, and every such bargain shall be void.

V. Howbeit, a spiritual person may buy horses, Mares, Cattel, or other goods, for his necessary use and imployment, and in case they happen not fit for his turn, may sell them again, so as this be done without fraud or covin.

VI. Also Abbots, Priors, Abbesses, Prioresses, Provosts, Presidents, and Masters of Colledges and Hospitals, and all other spiritual Governours and Governesses of any Houses of Religion, lands of

of the yearly value of 800 Marks or under, may uſe and occupy ſo much thereof for the maintenance of their houſes, as they or any of their Predeceſſors have done within 100 year laſt paſt, notwithſtanding this Act.

VII. Likewiſe Spiritual perſons, not having ſufficient Glebe or Demeſne lands in right of their Churches or houſes; may (notwithſtanding this Act) for the only expences of their houſes, and for their carriages and journeyes, take in farm other lands, and buy and ſell corn and cattel for the only manurance and paſturage of ſuch Farms, ſo as if it be done for ſuch purpoſes only, without fraud or covin.

VIII. If any perſon having a Benefice with cure of Souls, being of the yearly value of 8 *l.* or above, accept another with cure of Souls, and be Inſtituted and Inducted in poſſeſſion of the ſame, immediately upon ſuch poſſeſſion thereof, the firſt Benefice ſhall be adjudged void; and then it ſhall be lawful for the Patron thereof to preſent another, as if the Incumbent had dyed or reſigned, any licenſe, union, or other diſpenſation to the contrary notwithſtanding.

IX. Every licenſe, union, or other diſpenſation obtained contrary to this Act, ſhall be void. And none ſhall obtain (from *Rome*, or elſwhere) any licenſe, union, toleration, or diſpenſation to receive any Benefice with Cure, in pain of 20 *l.* to be divided betwixt the King and the Proſecutor.

X. Provided, that every Spiritual perſon of the Kings Council may purchaſe licenſe, or diſpenſation, to keep three Benefices with Cure, and the Chaplains of the Kings, Queens, the Kings Children, Brethren, Siſters, Unkles, or Aunts, may ſo keep each of them two.

XI. Alſo an Archbiſhop and Duke may have each of them ſix Chaplains; a Marqueſs and Earl five; a Viſcount and other Biſhop, four; the Chancellor, every Baron and Knight of the Garter, three; Every Dutcheſs, Marchioneſs, Counteſs, and Baroneſs, being Widows, two; the Treaſurer and Comptroller of the Kings Houſe, the Kings Secretary, and Dean of his Chappel, the Kings Almoner, and Maſter of the Rolls, each of them two; And the Chief Juſtice of the Kings Bench, and Warden of the Cinque-ports, each of them one; And each of the aforeſaid Chaplains, may purchaſe licenſe or diſpenſation to keep two Benefices.

XII. Likewiſe the brethren and ſons of Temporal Lords (born in wedlock) may purchaſe ſuch licenſe or diſpenſation to keep as many Benefices with Cure, as the Chaplains of a Duke or Archbiſhop:

and

and the brethren or ſons (born in wedlock) of every Knight may keep two.

XIII. Provided, that the aforeſaid Chaplain ſhall exhibit (where need ſhall be) Letters under the Sign or Seal of the King, or other their Lord and Maſter, teſtifying whoſe Chaplains they be, or elſe not to enjoy ſuch plurality of Benefices.

XIV. And Doctors and Batchelors of Divinity, Doctors of Law, and Batchelors of Law-Canon, admitted to their degrees by any of the Univerſities of this Realm, and not by Grace only, may purchaſe ſuch licenſe to keep two Benefices with Cure.

XV. And becauſe Archbiſhops muſt uſe (at conſecration of Biſhops) eight Chaplains and Biſhops (at giving of Orders and Conſecration of Churches) ſix, every of them may have two Chaplains over and above the number limited.

XVI. Every Spiritual perſon, that is advanced (by colour of this Act) to keep more Benefices with Cure, then is abovelimited, ſhall incur the penalty above provided by this Act.

XVII. Every Spiritual perſon, promoted to any Arch-Deaconry, Deanary, or Dignity in a Monaſtery or Cathedral Church, or other Church, Conventual or Collegiate, or being Benefieed with any Perſonage or Vicarage, ſhall be perſonally reſident and abiding upon his ſaid Dignity, Prebend, or Benefice, or at one of them at leaſt, in pain to forfeit, for not being ſo reſident by the ſpace of a month together, or of two months (to be accounted at ſeveral times in any one year) the ſum of 10 l. to be divided betwixt the King and the Proſecutor.

XVIII. None ſhall obtain (from *Rome*, or elſwhere) any licenſe or diſpenſation to be non-reſident, in pain of 20 l. to be forfeited, as aforeſaid.

XIX. Howbeit, this Act ſhall not extend to any Spiritual perſon, being in the Kings ſervice beyond Sea, or upon a pilgrimage beyond Sea, during the time that he ſhall be ſo in the Kings ſervice, or upon the ſaid Pilgrimage, nor to any Schollar abiding for ſtudy (without fraud) at any Univerſity within this Realm; nor to any of the King or Queens Chaplains in Ordinary, neither yet to any of the other aboveſaid Chaplains, which ſhall daily attend in their Lords or Maſters houſholds, ſo long as they ſo attend, without fraud; nor to the Maſter of the Rolls, Dean of the Arches, the Chancellor or Commiſſary of any Arch-biſhop or Biſhop, the twelve Maſters of the Chancery, or the twelve Advocates of the Arches (being Clergy men) ſo long as they execute their Offices or places; nor to any Spiritual perſon compelled by the injunction of the Lord Chancellor,

lor, or the Kings Council, to daily appearance to answer the Law, so long as he shall be so enjoyned.

XX. Also a Spiritual person (being the Kings Chaplain) may accept (of the Kings gift) any Benefices, to what number soever, without the incurring the penalty of this Act; and the King may also license his Chaplains for non-residence upon their Benefices, notwithstanding this Act.

XXI. No Spiritual person shall take in farm any Parsonage or Vicarage, in pain to forfeit 40 s. for every week that he or any other (for his use) so occupies the same, and also ten times the value of the profit or rent that he makes thereof, both which forfeitures are to be divided betwixt the King and the Prosecutor.

XXII. Provided that no Deanary, Archdeaconry, Chancellorship, Treasurership, Chantership, or Prebend in any Cathedral or Collegiat Church, nor Parsonage that hath a Vicar indowed, nor any Benefice perpetually appropriate, shall be taken to be a Benefice with Cure of Souls.

XXIII. No spiritual person, or any other for his use, shall keep any Tan-house or Brew-house, in pain to forfeit for every month so using the same, 10 l. to be divided as aforesaid: Howbeit, he may here have a Brewhouse for his own private use.

XXIV. Every Dutchess, Marquess, Countess, or Baroness, Widows, shall retain their priviledges concerning Chaplains, notwithstanding their intermarriages with other persons of a lower degree.

XXV. All Spiritual persons having possessions in right of their houses (above the value of 800 marks) may keep so much thereof, as shall be necessary for the maintenance of their houshold, notwithstanding this Act: Or may take a dwelling-house with Orchards and Gardens for their dwelling, so as (by colour thereof) they take not liberty to be non-resident.

XXVI. Stat. 25. H. 8. 16. Every Judg of the Kings Bench and Common Pleas, the Chancellor and Chief Baron of the Exchequer, and the Kings Attorney and Sollicitor General, may each of them have one Chaplain to be attendant to his person, having one Benefice with Cure, who may be non-resident upon the same.

XXVII. Stat. 28 H. 8. 13. Every Spiritual person above the age of fourty years, being Beneficed (the Chancellor, Vice-Chancellor, Commissary, Rulers of Colledges or Halls, Doctors of the Chair, and Readers of Divinity, in either of the Universities, only excepted) shall be resident upon one of their Benefices, according to the Statute of 21 H. 8. 13. upon the pain therein provided for non-residence.

XXVIII. Alſo every Beneficed perſon, under the age of fourty years, abiding in either of the Univerſities, ſhall not enjoy the priviledg of non-reſidence, provided by the ſaid Statute of 21 H. 8. unleſs he be preſent at ordinary Lectures, both in the Houſe and Schools, and in proper perſon perform his exerciſes, according to the Statutes of the Univerſity where he ſo abides.

XXIX. This Statute ſhall not extend to any Reader of any publick Lecture in Divinity, Law Civil, Phyſick, Philoſophy, Humanity, or any of the liberal Sciences; nor to Interpreters or Teachers of the Hebrew, Chaldee, or Greek Tongues, in either of the Univerſities; nor yet to any perſon, who ſhall repair thither to proceed Doctor in Divinity, Law, or Phyſick, for the time of their proceedings there, according to the Statutes of the ſaid Univerſities.

XXX. Stat. 33 H. 8. 28. The Chancellors of the Courts of the Dutchy of *Lancaſter*, Augmentations, and Firſt-fruits, the Maſter of the Wards, every of the Kings Surveyors General, the Treſurers of the Kings Chamber, and the ſaid Court of Augmentation, and the Groom of the Kings ſtool, may each of them retain one Chaplain, to be attendant to his perſon, having one Benefice with cure, who may be non-reſident upon the ſame; Howbeit, every ſuch Chaplain (ſhall at leaſt) twice every year, repair to his Benefice, and abide there eight dayes at every ſuch time, to viſit and inſtruct his Cure, in pain to forfeit every time ſo failing, 40 *s.* to be divided betwixt the King and the Proſecutor.

Reſtitution.

I. Stat. 21 H. 8. 11. Where a Felon robbeth or taketh away the money or goods of any, and is thereof found guilty, or otherwiſe attainted by the evidence given by the party himſelf or other by his procurement, in this caſe the Juſtices of Goal-delivery, or other Juſtices, before whom he is ſo found guilty or attainted have power to award a Writ of Reſtitution for the money or goods ſo robbed or taken, in like manner as if the Felon were attainted at the ſuit of the party in appeal.

Return of Sheriffs and Bailiffs.

I. Weſt. 2. 39. 13 E. 1. Such as do fear the ill execution of Writs by the Sheriff, ſhall deliver their Writs unto him in open County, or in the rere-County, and ſhall take of him or his under-Sheriff, a Bill, containing the names of the demandants and tenants

mentioned in the Writ, and require the Sheriff or under-Sheriff to put the ſeal thereunto, and mention ſhall be therein alſo made of the day of the deliverance thereof, and if the Sheriff, or under-Sheriff refuſe to do it, the teſtimony of Knights, and other credible perſons there preſent, do put their ſeals to ſuch Bill, ſhall be taken.

II. If the Sheriff will not return Writs delivered unto him, upon complaint thereof to the Juſtices, a judicial Writ ſhall iſſue to the Juſtices of Aſſize, to inquire by ſuch as were ſo preſent, whether they knew of the deliverance thereof, and an Enqueſt ſhall be thereupon returned; and if it be found by them, that the writ was delivered, damages ſhall be awarded to the Plaintiff or Demandant, having reſpect to the quality and quantity of the Action, and the peril he might incur by reaſon of ſuch delay: And this is to prevent a return of the Sheriff by *tarde*.

III. And for that the Sheriff ſometime returns a *Mandavi Ballivo* of a Liberty, where there is none ſuch, the Treaſurer of the Exchequer ſhall deliver to the Juſtices in a Roll, all Liberties (in every County) that have return of Writs; and if the Sheriff return a *Mandavi Ballivo* of a Liberty, not contained in the ſaid Roll, he ſhall be puniſhed as a diſheritor of the King and his Crown: And if he return a *Mandavi Ballivo* of a liberty, that hath return, he ſhall have a *Non omittas propter aliquam libertatem* to do it, and ſhall be commanded to warn the Bailiffs thereof to be ready at a day to be named in the Writ, to anſwer, why they did not execute the Kings Precept, when, if they come and acquaint themſelves, that no return was made to them, the Sheriff ſhall be condemned to the Lord of the Liberty, and alſo to render damages to the party grieved by ſuch delay: But if the Bailiffs appear not, or do not acquit themſelves, as aforeſaid, in every Judicial writ (ſo long as the Plea hangeth) the Sheriff ſhall have a *Non omittas, &c.*

IV. As concerning the Sheriffs return of iſſues, if the Plaintiff demand *Oyer* of the Sheriffs return, it ſhall be granted him, and if he aver that the Sheriff might have returned greater iſſues unto the King, he ſhall have a writ Judicial unto the Juſtices of Aſſize to enquire in the preſence of the Sheriff (if he will be there) what iſſues the Sheriff might have returned from the *Teſte* to the return of the Writ: And when the Enqueſt is returned, if he have not before anſwered the whole, he ſhall be charged with the Overplus by eſtreats out of the Exchequer, and beſide, ſhall be grievouſly amerced for the Concealment; And here rents, corn in the grange, and all moables except Horſe, harneſs, and houſhold-ſtuff) are impriſoned under the name of *Iſſues*.

V. The King commands, that Sheriffs ſhall be puniſhed by the Juſtices once or twice (if need be) for ſuch falſe returns: Howbeit, with the third offence none ſhall meddle but the King.

VI. The Sheriff muſt beware of returning a reſcue, for ſuch anſwers tend much to the diſhonour of the King: But when the Bailiffs teſtifie ſuch reſiſtance, forthwith the Sheriff (all other buſineſs laid aſide) taking with him the *Poſſe Comitatus*, he ſhall go in proper perſon to do execution; and if he find his under Bailiffs falſe, he ſhall puniſh them by impriſonment; but if not, he ſhall impriſon the reſiſters, from whence they ſhall not be enlarged without the Kings ſpecial command.

VII. Alſo in caſe of reſiſtance, the Sheriff ſhall certifie the Court of the names of reſiſters, their Aiders, Conſenters, Commanders, and Favourers, and by a Writ Judicial they ſhall be attached by their bodies to appear in Court, where, if they be convict, they ſhall be puniſhed at the Kings pleaſure. *See this Statute confirmed in Art. Sup. Chartas*, 16. 28 *E.* 1.

VIII. **Stat.** 12 *E.* 2. 5. An Indenture ſhall be made between the Sheriff and Bailiff of a Franchiſe under their names of every return delivered by the Bailiff to the Sheriff; and if the Sheriff change the return ſo delivered, and be thereof convict, he ſhall be puniſhed by the King, and yield to the Lord of the Liberty, and to the party grieved double damages.

IX. Sheriffs and Bailiffs ſhall ſet their names to their returns, in pain to be grievouſly amerced to the Kings uſe.

X. **Stat.** 2 *E.* 3. 5. At what time and place in the County a man delivereth a Writ to the Sheriff or Under-Sheriff, they ſhall receive the ſame, and make him a Bill, according to the Statute of *Weſtm.* 2. 39. without taking any thing for the ſame; and if they refuſe to make ſuch a Bill, others there preſent ſhall ſet to their ſeals, and if the Sheriff or Under-Sheriff return not ſuch Writs, they ſhall be puniſhed according to the ſaid Statute. Alſo the ſaid Juſtices of Aſſize ſhall have power to enquire thereof, and to award damages, having reſpect to the delay, and likewiſe to the loſs and damage that might happen.

Revenue. *See Title* King.

Richmond.

I. **Stat.** 26 *H.* 15. A Statute ſhewing what duties Spiritual perſons

persons Beneficed in the Arch-deaconry of *Richmond* shall take after the decease of any person there.

Rie and Winchelsey.

I. **Stat.** 2 *E.*6.3. An Act was made against Ballast to be cast into the Channell there.

Right.

I. **Magna Carta**, 24. 9 *H.*3. The Writ called *Præcipe in Capite*, shall be granted to no man upon any Free-hold, whereby any Freeman may lose his Court.

☞ Riots, Routs, and unlawful Assemblies.

I. **Stat.** 27 *E.*2.8. The Sheriffs and all other the Kings Officers shall suppress Rioters, and imprison them, and all other offending against the Peace.

☞ II. **Stat.** 13 *H.*4.7. The Justices of Peace, or two of them (at least) together with the Sheriff or Under-Sheriff, shall by the power of the County, suppress Riots, Routs, and unlawful Assemblies, arrest the offenders, and record what shall be done: By which Record of the said Justices, and Sheriff or Under-Sheriff, the offenders shall stand convict, as by the Statute of 15 *R.* 2. 2. in case of Forcible Entries, (*which see in Forte*) and if the offenders be departed, the said Justices, and Sheriff or Under-Sheriff, shall within a month after, make enquiry thereof, and hear and determine the same according to Law.

III. If upon such enquiry the truth cannot be discovered in manner aforesaid; then shall the said Officers within one month after such enquiry certifie the fault, together with the circumstances thereof, unto the King and his Council; which certificate of theirs shall be in the nature of a presentment by twelve, whereupon the offenders shall be brought to answer, and those that be found guilty, shall be punished at the discretion of the King and his Councill.

IV. If the offenders traverse the said Certificate, then that, together with the Traverse, shall be sent into the Kings Bench, there to be tried.

V. If the offenders upon the first Precept do not appear before the Council, or in the Kings Bench, a second Precept shall issue forth, upon which, if they cannot be found, or within three Weeks after

Proclamation made against them in the next County Court after the delivery of the second Precept, they do not make their appearance before the Council, in the Kings Bench, or in the Chancery (in vacation-time) upon return of the said Proclamation, they shall stand convict and attainted of the offence committed.

VI. Justices of Peace dwelling near the place where such Officers shall be committed, and Justices of Assize for the time they shall be in their Sessions (in case any be then committed) shall do execution of this Act, in pain of 100 *l.*

☞ VII. Stat. 2 *H.* 5. 8. If default be found in the Justices of Peace, or Assize, or in the Sheriff, or Under-Sheriff, touching the execution of 13 *H.* 4. 7. at the instance of the party grieved, the Kings Commission shall go out to enquire as well of the truth of the case and original matter, as of the defaults aforesaid, directed to sufficient men of the County, at the discretion of the Lord Chancellor; which Commissioners shall presently return into the Chancery the Enquests and matters before them found.

VIII. Here, during the Sheriffs, or Under-Sheriffs remaining in his Office, the Coroners shall impanell the Jury, each of them having lands worth 10 *l. per annum*, at least; and upon each of which, for making default, the Coroners shall return Issues, *viz.* for the first day, 20 *s.* for the second, 40 *s.* for the third, 5 *l.* and for every day after double: And all this the Coroner shall do, in pain of 40 *l.* But in case the Sheriff, or Under-Sheriff, reputed in default, be discharged of their Office, the new Sheriff shall do that which the Coroners are above enjoyned to do, and shall incur like penalty, if they therein make default.

IX. The Lord Chancellor, upon knowledg of any such offence, shall send the Kings Writ to the Justices of Peace, Sheriff, and Under-Sheriff of the same County, to put the said Statute of 13 *H* 4. 7. in execution, upon the pain therein contained: But although no such Writ be sent, yet shall they not be excused of the said pain, if they make no execution of the same Statute.

X. A Riot, &c. shall be represſed, and enquired of at the Kings charge, which the Sheriff shall disburse by Indenture betwixt the Justices of Peace and him, and shall be answered him again upon his accompt in the Exchequer.

XI. Persons guilty of heynous Riots, shall suffer one whole years imprisonment without bail, but petty Rioters shall be imprisoned, as shall seem best to the King and his Council: And greater fines shall be set upon Rioters then in time past, in aid and supportation of the Justices, and other Officers in that behalf.

All

XII. All the Kings Liege People, upon warning, ſhall be aſſiſtant to the Juſtices, Commiſſioners, Sheriff, and Under-Sheriff aforeſaid, upon pain of impriſonment, and to make fine and ranſome to the King.

XIII. Bailiffs of Franchiſes ſhall cauſe ſufficient men to be impanelled upon ſuch Enquests, if any ſuch be found within their Liberties. And the Ordinances and Pains aforeſaid ſhall extend to Corporations and Liberties, where they have Juſtices of Peace within themſelves.

XIV. **Stat.** 2 H. 5. 9. Upon a Bill of complaint for any Riot, *&c.* preferred by the party grieved to the Lord Chancellor for the time being, together with a ſuggeſtion teſtifying the ſame under the ſeals of two Juſtices of Peace, and the Sheriff of the County, the ſaid Lord Chancellor ſhall ſend forth a *Capias*, returnable in the Chancery at a certain day, by which if the parties offending, or any of them be taken, they ſhall be committed to ward, or let to mainprize, at the diſcretion of the ſaid Lord Chancellor, and ſhall be proceeded againſt as the Law requireth: But if the Sheriff return *Non eſt inventus*, a Writ of Proclamation (to be proclaimed two County-Court days) ſhall go out returnable in the Kings Bench, at a certain day; before which, if they render not themſelves, they ſhall be adjudged convict, and attainted of the offence ſuggeſted.

XV. If the offence be committed within the County Palatine of *Lancaſter*, or other Franchiſe, where there is a Chancellor and Seal, The Lord Chancellor of *England* ſhall ſend a Writ to the ſaid Chancellor, commanding him to make ſuch execution, as in this Act is compriſed.

☞ XVI. **Stat.** 8 H. 6. 14. Two Juſtices of Peace of the Counties where Riots are ſuppoſed to be committed, ſhall teſtifie that the common fame runneth in the ſame Counties of the ſame Riots before *Capias* ſhall be awarded according to the Statute of 2 H. 5. 9.

XVII. If the offence be committed within a Liberty, where there is a Chancellor and a Seal, upon information of the Riot, *&c.* from a Juſtice of Peace, and Sheriff there, the ſaid Chancellor hath power to award Writs of *Capias* and *Proclamation*, as the Chancellor of *England* hath.

* XVIII. **Stat.** 19 H. 7. 13. If any Riot, *&c.* be committed, the Sheriff upon a Precept directed unto him, ſhall return 24 perſons, whereof every one ſhall have Freehold within the ſame County worth 20 *s. per annum*, or Copyhold worth 26 *s.* 8 *d. per annum*, or Copyhold and Freehold together, worth 26 *s.* 8 *d. per annum*, for to enquire

enquire of the ſaid Riot, &c. And ſhall return iſſues upon every Juror making default, *viz.* for the firſt day 20 *s.* and for the ſecond 20 *s.* and all this the Sheriff ſhall do, in pain of 20 *l.*

XIX. If the ſaid Riot, *&c.* be found by reaſon of any maintenance or embracery of the ſaid Jurors, then ſhall the Juſtices and Sheriff, or Under-Sheriff, (beſides the certificate they are to make, according to the Statute of 13 *H.* 4. 7.) certifie the name of ſuch maintainers, and embracers, together with their miſdemeanors, in pain to forfeit 20 *l.* a piece; which certificate ſhall have like force of proving the offence, as a Verdict of 12 men: And then ſuch maintainers and embracers ſhall forfeit 20 *l.* a piece, and remain in priſon at the diſcretion of the Juſtices.

Robberies.

I. Stat. Weſt. 1. 9 *E.* 6. 1. All perſons ſhall be ready (at the ſummons of the Sheriff, and cry of the Countrey) to purſue and arreſt Felons, in pain (after attainder thereof) to make Fine to the King.

II. If default be in the Lord of a Franchiſe, the King ſhall ſeize his Franchiſe; but if in his Bailiff, the Bailiff ſhall be impriſoned for a year, and make fine to the King, and if he have not whereof, he ſhall ſuffer two years impriſonment.

III. If the Sheriff, Coroner, or other Bailiff, for any reward, fee, or favour, conceal, conſent to, or procure to conceal any Felonies done within their Liberties, or will not attach or arreſt them (where they may) and be thereof attainted, they ſhall ſuffer one years impriſonment, and be grievouſly fined to the King, if they have whereof; but if not, they ſhall ſuffer three years impriſonment.

IV. The Stat. of *Winchester*, *Cap* 1. 13 *E.* 1. Immediately upon Robberies and Felonies committed, freſh ſuit ſhall be made from Town to Town, and from Country to Country.

V. *Cap.* 2. When need requires, Enqueſts ſhall be made in Towns by the Lord there, and then in the Hundred, after, in the County, and ſometime in two, three, or four Counties, when the felony is committed in the diviſion of Counties: Here, if the County will not anſwer the bodies of the offenders, the people there ſhall be anſwerable for all the Robberies done, and alſo for the damages; So as the whole Hundred, where the Robberies are done, (together with the Liberties therein) ſhall be anſwerable for the Robberies there committed: And if they be done in the diviſion of two Hundreds, both Hundreds together, with their Franchiſes, ſhall anſwer them:

And

And here, the Countrey shall have but fourty dayes given them to agree for the robbery or offence, otherwise they are to answer for the bodies of such offenders.

VI. *Cap.* 4. In great Towns walled, the gates shall be shut from Sun-set, till Sun-rising, and none shall lodge without the Town from nine a clock until day, unless his Host will answer for him: For which purpose, the Bailiffs of the Towns shall make search once every fortnight, at least, and if they find any suspitious person lodged without the Town against the Peace, they shall do right therein: Again, betwixt *Assension-day* and *Michaelmas*, watch shall be kept all night, from Sun-set, till Sun-rising, *viz.* in a City with 6 men at every gate, in a Burrough with 12 men, and in every Town with 6 or 4 men, according to the number of the inhabitants there; if any stranger pass by them, he shall be arrested untill the morning, when, if they have no suspition of him, they shall let him go quit; but if otherwise, they shall deliver him to the Sheriff to be safely kept, untill he be duly acquitted; And here, if he will not obey the Arrest, they shall levy Hue and Cry upon him; and for such Arrest of a stranger, none shall be punished.

VII. *Cap.* 5. High-wayes, leading from Market to Market, shall be so enlarged, that there shall not be any dike, tree, or Bush, within 200 foot thereof; Howbeit, this Act shall not extend to great Trees: Here, if by default of the Lord, in not removing his dike, under-wood, or Bushes, any robbery be here committed, he shall be answerable for the same; and if there be murder committed, the Lord shall make fine at the Kings will: And in case the Lord be not able to fell the Under-woods, the Countrey shall help him: The Kings Demesne Lands and Forests shall be also subject to this Law; and if a Park be set too near the High-way, the Pale thereof shall be removed to the distance aforesaid.

VIII. *Cap. 6. Pars inde.* Two Constables shall be chosen in every Hundred and Franchise, who shall present to the Justices assigned, such defaults, as they shall find in the Countrey concerning suits, watches, and high-wayes, and also such persons as lodg strangers in uplandish Towns, for whom they shall not answer. And the Justices assigned shall present them at the Parliament to the King, who will provide remedy therein: Also Sheriffs and Bailiffs of Franchises, are straightly commanded to follow the Cry with the Countrey, and to keep Horse and Arms to perform the same, in pain to be presented by the Constables to the Justices assigned, and by them to the King, as aforesaid.

IX. *Artic. super Cart.* 17. 28 *E.* 1. The Statute of *Winchester* shall

ſhall be again ſent into every County, to be read and publiſhed four times in the year, and to be kept as ſtrictly as the Great Charters, upon the pains therein limited; And for the better obſervance thereof, the Knights aſſigned in the Counties to redreſs things done againſt the Great Charter, ſhall be likewiſe charged with this, and have Warrant for the ſame accordingly.

X. **Stat.** 5 *E.* 3. 14. If any have ſuſpition of night-walkers, or other ſuſpitious perſons, (*then called Robertſmen, Waſtors, and Draw-latches*) by day or night, they ſhall be preſently arreſted by the Conſtables, and if it be in a Franchiſe, they ſhall be delivered to the Bailiffs; but if in a Guildable, then to the Sheriff, and ſhall be kept in priſon, till the coming of the Juſtices to deliver the Goal, and in the mean time, the Sheriff or Bailiff ſhall enquire of ſuch arreſts, and return their Enqueſts before the Juſtices at their coming together, with the cauſe of their taking; whereupon the Juſtices ſhall proceed to their deliverance, according to Law, and here, if the Sheriff or Bailiff neglect to enquire, they ſhall be amerced, and nevertheleſs, the Juſtices ſhall make enquiry, and proceed to the deliverance.

XI. **Stat.** 28 *E.* 3. 11. The Statute of *Winchester, cap.* 1. & 2. 13 *E.* 1. is confirmed, being *in a manner, the ſame with that word for word.*

XII. **Stat.** 7 *R.* 26. The Statute of *Winchester* is again confirmed, and it ſhall be proclaimed four times a year by the Sheriff himſelf in perſon in every Hundred, and in every Market by the Bailiffs thereof.

XIII. **Stat.** 27 *El.* 13. The Hundred where freſh ſuit ſhall ceaſe, ſhall anſwer half the the damages to the Hundred wherein the Felony ſhall be commited to be recovered in any Court at *Weſtminſter* in the name of the Clerk of the Peace of the County wherein the Felony was committed; and here the death or change of the Clerk of the Peace, ſhall not abate the ſuit.

XIV. When in this caſe damages are recovered againſt one or ſome few inhabitants of the Hundred, and the reſt refuſe to contribute thereunto, two Juſtices of Peace (1. *Qu.*) dwelling within, or near the ſame Hundred, ſhall for the levying thereof, ſet a tax upon every Pariſh within that Hundred: according to which, the Conſtables and Headboroughs of every Town ſhall tax the particular inhabitants, and levy the money upon them by diſtreſs and ſale of goods, and deliver the money levied to the ſaid Juſtices, or ſome of them.

XV. No Hundred ſhall be chargeable, when any one of the male-

factors

factors shall be apprehended, or when the action is not prosecuted within one year after the Robbery committed.

XVI. No Hue and Cry shall be deemed legal, unless the pursuit be both by horse and foot.

XVII. No person robbed shall maintain an action in this case, unless with all convenient speed he makes his robbery known to some near Town, Village or Hamlet, and within twenty days before the Action brought, make oath before a Justice of Peace, dwelling within or near the Hundred where the robbery was committed, whether he know the parties that robbed him, or any of them; and if he know, shall enter into sufficient Bond before the same Justice, to prosecute the person or persons so by him known, by Indictment, or otherwise, according to the law.

XVIII. **Stat.** 39 *El.* 25. A remedy for the inhabitants of the Hundred of *Henhurst*, in the County of *Berks*, for recovery of such sums of money as shall be gained from them by force of the Statute of 27 *El.* 11.

XIX. **Stat.** 14 *Car.* 2. *cap.* 22. For preventing Theft and Rapine, by lewd persons called *Moss-Troopers*, frequenting the Borders of *Northumberland*, *Cumberland*, and the adjacent parts of *Scotland*, The Inhabitants of the said two Counties may be charged for five years by the Justices of the Peace for resistance of the said *Moss*-Troopers.

XX. Provided, not to charge *Northumberland* above 500 *l. per annum*, and *Cumberland* above 200 *l. per annum*. And the said Justices may appoint men not exceeding 30 for *Northumberland*, and 12 for *Cumberland*, for searching for and apprehending the said malefactors, and may issue Warrant for collecting the assessments; and every Justice of the Peace may examine offences against this Act, and bind over the offenders to Sessions.

XXI. The Justices impowred to appoint a Treasurer to receive the said moneys, and make payment thereof according to their orders, and may agree and article with persons by them employ'd, and take security of them for safe-guarding the said Counties.

XXII. If any persons imployed in Border-Service upon this Act, shall wilfully or corruptly neglect to apprehend or bring to tryall any persons called *Moss*-Troopers; they shall be uncapable of being imployed in the said service, and further fine and imprisonment as the Justices shall think fit.

XXIII. The Justice may lessen the charge if they see cause, this Act to continue 5. years: The *Stat.* 4 *Jac. cap.* 1. & 7 *Jac. cap.* 1. touching

touching tryal of offenders flying out of *England* into *Scotland*, & *contra*, revived, and to be put in execution.

☞ Rome.

* I. **Stat.** 25 *H.*8.19. The Convocation shall be assembled by the Kings Writs, and shall not enact any Constitutions or Ordinances without the Kings assent.

II. No Canons shall be executed, which be repugnant to the Kings Prerogative, or to the Customs, Laws, or Statutes of this Realm.

III. There shall be no appeals to *Rome*, but from henceforth they shall be according to the Statute of 24 *H.*8.12. *which see in* Appeals to *Rome*.

IV. Appeals from the Courts of Archbishops of this Realm, shall be to the King in his *Chancery*, out of which shall thereupon issue out a Commission under the Great Seal, to certain persons to be named by the King, who shall thereby have power to hear, and definitively to determine all such appeals, and the causes concerning the same, and from whose decree or sentence therein, there shall be no further appeal.

V. If any sue for an Appeal to *Rome*, he shall incur a *Praemunire*; *but this is made Treason by* 13 *El.* 2. *which see in Crown.*

VI. Appeals from places exempt, which were before to the See of *Rome*, shall be henceforth into the *Chancery*, and shall be determined before the Commissioners as aforesaid.

VII. Provided, That all Canons, Constitutions, Ordinances, and Synodals Provincial, not repugnant to the Kings Prerogative, nor to the Customs, Laws, or Statutes of this Kingdom, shall be still used and executed notwithstanding this Act.

* VIII. **Stat.** 25 *H.*8.20. No man shall be presented to the See of *Rome* for the Dignity of an Archbishop or Bishop, neither shall *Annates*, or First-fruits be paid to the same See.

IX. Concerning the Election of Archbishops and Bishops, the King may send to the Prior, and Covent, or Dean and Chapter of the place shall be void, his Letters missive, containing his *congé d'eslire*, or license to elect the person named in the said Letters missive, which person they are to choose for their Archbishop or Bishop, and none other.

X. In case they fail to make election accordingly, the King shall nominate such an Archbishop or Bishop by his Letters Patents, and if it be a Bishop, he shall present him to the Archbishop, or (in case that

that See be then void) to any other Archbiſhop within his Dominion; but if it be an Archbiſhop, then to an Archbiſhop, and two other Biſhops, or elſe four other Biſhops, to be nominated by the King.

XI. When any Archbiſhop or Biſhop is elected or preſented, as aforeſaid, they are in due form to be inveſted and conſecrated, *viz.* a Biſhop by the Archbiſhop of that Province, or (in caſe of vacation) by any other within the Kings Dominions, and an Archbiſhop, by ſome other Archbiſhop, and two Biſhops, or elſe by four Biſhops, without ſuing for any Bulls, Letters, or other things from the See of *Rome* for the ſame: And ſuch Archbiſhop or Biſhop, betwixt his election and conſecration, ſhall be called the Lord Elect of ſuch a Dignity.

XII. Such election or preſentment of an Archbiſhop or Biſhop, ſhall be lawful, and make them capable to do and execute all things that concern the ſaid Dignities.

XIII. If the Prior and Covent, or the Dean and Chapter, within 20 days after the receipt of the Kings *Conge d' eſlire* do not proceed to election, and certifie the ſame to the King; or if the Archbiſhop or Biſhops unto whom the King preſents any ſuch perſon to be inveſted and conſecrated, as aforeſaid, do not perform the ſame accordingly within 20 days after ſuch preſentment; or if any perſon or perſons do admit, obey, or execute any Cenſures, Excommunicotions, Interdictions, Inhibitions, or any other Proceſs or Act in derogation of this Act; that then all and every perſon and perſons offending ſhall incurre a *Præmunire*.

XIV. Stat. 25 *H.* 8. 21. No impoſition ſhall be paid to the Biſhop or See of *Rome*, neither ſhall any perſon ſue for any diſpenſation or licenſe to the Biſhop of *Rome*.

XV. The Archbiſhop of *Canterbury* may grant diſpenſations to the King, and likewiſe licenſes to all others, of things formerly uſed to be licenſed: Howbeit, of cauſes not uſed to be licenſed, no diſpenſations ſhall be granted without the approbation of the King and his Councill.

XVI. Here, Licenſes of things, whereof the tax did heretofore extend (at *Rome*) to 4 *l.* ſhall be alſo confirmed by the Kings Great Seal, and likewiſe enrolled in *Chancery* by a Clerk thereto appointed; but all others may be granted by the Archbiſhop, without ſuch confirmation, unleſs the party deſire to have it enrolled, and then the Fee for the Seal ſhall be 5 *s.* and not above: And all Acts done by ſuch licenſes ſhall be good in Law.

XVII. All children procreated after Marriage, to be had or done by

by ſuch licenſes or diſpenſation, ſhall in all Courts be admitted Legitimate and Inheritable.

XVIII. There ſhall be a Clerk aſſigned by the Archbiſhop to regiſter Diſpenſations, and another by the King to enroll Confirmations.

XIX. There ſhall be two Books made, wherein the taxes of Diſpenſation ſhall be written, whereof the one ſhall remain with the ſaid Regiſter of the Diſpenſations, and the other with the ſaid Clerk of the Confirmations.

XX. None ſhall pay for diſpenſation greater taxes then ſhall be ſet down in the ſaid Books; and if any Officer takes more, he ſhall forfeit ten times ſo much to be divided betwixt the King and the proſecutor: Howbeit, where they are Arbitrary, the Archbiſhop, and the Lord Chancellor and Keeper ſhall rate them; and here alſo is ſet down, how the money received ſhall be divided; *For which, ſee the Statute at large.*

XXI. This Act ſhall not inhibit the Archbiſhop of *York*, nor other Biſhops to diſpence, as they were wont to do, by the Common Law, and cuſtome of this Realm.

XXII. During the vacation of the See of *Canterbury*, the Guardian of the Spiritualities ſhall grant Diſpenſations: Here is alſo a remedy provided, where the Archbiſhop or Guardian refuſe to grant Diſpenſations, *viz.* by a Commiſſion from the King, to impower two other Prelates to perform the ſame: *For which, ſee the Statutes at large.*

XXIII. All Religious Houſes heretofore exempt from the Viſitation of the Archbiſhop, ſhall ſtill remain ſo, notwithſtanding this Act, and ſhall be under the Viſitation of the King by Commiſſion under the Great Seal; ſo as the Popes power ſhall be quite excluded from all ſuch Viſitations; neither ſhall any Religious perſons from henceforth depart this Realm for any Viſitation, Congregation, or Aſſembly whatſoever, but all ſuch meetings ſhall be hereafter within the Kings Dominions.

XXIV. Howbeit, this Act, nor any Licenſe or Diſpenſation, to be granted thereby, ſhall derogate the Statute of 21 *H.* 8. 13. touching Pluralities of Benefices or Non-reſidence.

XXV. Whoſoever ſues for any Licenſe, Diſpenſation, &c. to the See of *Rome*, or obeys any Proceſs from thence, ſhall incur a *Præmunire*; *but this is made Treaſon by* 13 *El.* 2.

XXVI. Grants and Confirmations of liberties obtained from the See of *Rome* to any Abbeys, or other Religious Houſes, ſhall be of the ſame effect as they were before this Act.

Abbeys,

XXVII. Abbeys, nor other places exempt, ſhall pay any Penſions to the See of *Rome*, nor accept any Diſpenſation or Confirmation from thence, nor make any oath to the Biſhop thereof; and where no ſuch Confirmation was requiſite, they ſhall ſtill remain as before, notwithſtanding this Act.

XXVIII. Diſpenſations obtained at *Rome* before the 12th of *March*, 1533. ſhall remain of the force that they had before this Act.

XXIX. The King, with the advice of his Council, may reform the manner of Indulgences.

Safe Conducts.

I. **Stat.** 15 *H.* 6. 3. IN all Safe Conducts, the name of them of the Ship, and of the Maſter, and the number of the Mariners, together with the Portage of the Ship, ſhall be expreſſed.

II. **Stat.** 18 *H.* 6. 8. Goods may be loaded into the Ships of the Kings Enemies, ſo as the Merchant hath an *Authentique* ſafe Conduct for them, otherwiſe they may be made prize by any that can take them.

III. **Stat.** 20 *H.* 6. 1. All Letters of ſafe Conduct, which be not enrolled in the Chancery before the delivery of them, ſhall be void.

IV. They who will take benefit of the Kings ſafe Conduct, ſhall have it ready enrolled at the time of their apprehenſion: Howbeit, although the ſafe Conduct be not preſently ſhewed, yet it will ſuffice, if it be afterwards proved to be then enrolled.

Saint *Johns*.

I. **Stat.** 32 *H.* 8. 24. By this Act, the Corporation of Saint *Johns* of *Jeruſalem* in *England* and *Ireland* was diſſolved, and the Priors and Confreres thereof prohibited, to wear the Mark, *&c.*

II. The King was to have their Houſes, Churches, Lands, Goods, Chattels, Debts, and all other things of theirs: There be alſo divers Penſions appointed ſeverally to the Priors, Chaplains, and Confreres of that Order, to continue, during their lives.

III. All of that Order, are diſcharged from obedience for their Religion, and alſo enabled to ſue, and to take and have liberty, as other

other Religious perſons were enabled by 31 *H.* 8. 6. (*which ſee in Ability.*) Likewiſe their lands are to be within the ſurvey of the Court of Augmentations.

Scarborough.

I. **Stat.** 37 *H.* 8. 14. An Act for the incorporating of two perſons, (by the name of the Maſters, or Keepers of the Peer and Key at *Scarborough*) who have power to diſtrain every man having lands or houſes there, for the fifth part of the yearly revenue thereof towards the repair of the ſaid Peer and Key. *See the Statute at large.*

Sea.

I. **Stat.** 18 *E.* 3. *Stat.* 1. 3. The Sea ſhall be open to all Merchants to paſs with their Merchandize, where they pleaſe.

Seals.

I. **Artic. ſup. Chart.** *Cap.* 6. 28 *E.* 1. No Writ concerning the Common Law, ſhall be awarded under any of the petty Seals.

II. **Stat.** 11 *R.* 2. 10. The Kings Signet, or Privy Seal, ſhall not be ſent in prejudice of the Realm, or diſturbance of the Law.

III. **Stat.** 4 *H.* 7. 14. All Grants and Writings of Lands and other things pertaining to the Earldom of *March*, ſhall be under the Great Seal, and not under the Special Seal.

Serjeants at Arms.

I. **Stat.** 13 *R.* 2. 6. There ſhall be but thirty Serjeants at Arms, who ſhall meddle with nothing but what concerns their Offices; neither ſhall they oppreſs the people, in pain to loſe their Office, make fine to the King at his pleaſure, and full ſatisfaction to the party.

Service and Sacraments.

I. **Stat.** 1 *E.* 6. 1. None ſhall ſpeak or do any thing in contempt of the moſt Holy Sacrament, in pain of imprisonment, and to make fine and ranſom at the Kings Will.

Things

II. Three Juſtices of Peace (1. *Qu.*) have power to take information by the Oaths of two lawful perſons (at leaſt) concerning the offence aforeſaid, and to bind over by Recognizance every accuſer and witneſs, in 5 *l.* a piece, to appear at the next Seſſions to give evidence againſt the offenders, who are there to be enquired of before three Juſtices, or more, by the oaths of twelve men, and alſo indicted, if the matter alledged againſt them be found true.

III. Three Juſtices or more, have likewiſe power to ſend out two writs, *Capias* and *Exigent*, and a *Capias utlegat.* againſt ſuch offenders in all Counties and Liberties, and upon their appearance to determine the contempts and offences aforeſaid, or to take bail for their appearance to be tried, as aforeſaid.

IV. The Juſtices alſo have power to direct a Writ in the Kings Name to the Biſhop of the Dioceſs, where the offence was committed, by which he ſhall be required to be preſent himſelf (or ſome for him ſufficiently learned) at the arraignment of the offender, and to give advice concerning the offence committed.

V. The offence ſhall be proſecuted within three moneths, and the offender ſhall be admitted to produce Witneſſes for his defence.

VI. The Miniſter ſhall deliver the Sacrament to every perſon in both kinds, and ſhall not (without lawful cauſe) deny it to any, that will devoutly and humbly deſire it.

VII. **Stat.** 2. 3 E. 6. 1. Every Miniſter ſhall uſe the Church-Service in ſuch form as is mentioned in the Book of Common-Prayer eſtabliſhed by this Act; And ſhall not uſe any other, or deprave the ſame, in pain (if he be Beneficed, and convict thereof by the Verdict of twelve men, his own confeſſion, or notorious evidence of the fact) to forfeit to the King for the firſt offence that of his Benefices, which the King will chooſe, and to ſuffer ſix months impriſonment; for the ſecond, to ſuffer one whole years impriſonment, and to be deprived, *ipſo facto*, of all his ſpiritual promotion, whereupon every Patron may preſent; and for the third, to ſuffer impriſonment during life. And if he be not Beneficed, for the firſt offence he ſhall ſuffer ſix months impriſonment, and for the ſecond, impriſonment during life.

VII. If any ſhall be convicted to have by Enterludes, Playes, ſongs, rhymes, or otherwiſe depraved the ſaid books, as to have compelled or procured the Miniſter to ſing or ſay any other Church-ſervice, or in any other form then as aforeſaid; or by any ſuch means to have interrupted or let the Miniſter to ſing or ſay the ſaid Service, he ſhall for the firſt offence, forfeit 10 l. to the King; or (that

not paid within ſix weeks after conviction) ſhall ſuffer inſtead thereof, three months impriſonment without bail; for the ſecond time offending, ſhall forfeit 20 *l.* or (that not paid within ſix weeks as aforeſaid) ſhall ſuffer ſix months impriſonment without bail: and the third time ſhall forfeit all their goods, and ſuffer impriſonment during life.

IX. Juſtices of *Oyer* and *Terminer*, and Juſtices of Aſſize have power to hear and determine theſe offences; unto whom the Archbiſhop or Biſhop of the Dioceſs may aſſociate himſelf, if he pleaſe.

X. This ſhall not reſtrain any private man, or publick Colledges to uſe the ſaid Service in ſuch Tongues as they underſtand, the holy Communion only excepted; or any other to uſe Pſalms, or Prayers taken out of the Bible, at convenient times, not letting thereby the ſaid Service.

XI. The offences aforeſaid ſhall be proſecuted at the next Aſſize or Seſſions of *Oyer* and *Terminer*, after they are committed: And here tryal of Peers ſhall be by Peers.

XII. Chief Officers of Cities and Corporations, ſhall alſo hear and determine theſe offences within their ſeveral Precincts, and ſo likewiſe ſhall Eccleſiaſtical Magiſtrates; Howbeit, none ſhall be puniſhed above once for one offence.

XIII. **Stat.** 5. 6 E. 6. 1. Every perſon ſhall reſort to his Pariſh-Church or Chappel; or (upon juſt let) to go to ſome other every Sunday and Holiday, in pain to be puniſhed by the Cenſure of the Church.

XIV. The Common-Prayer-Book now made perfect, and annexed to this Act, together with the addition of conſecrating Archbiſhops, Biſhops, Prieſts and Deacons, ſhall be uſed and eſteemed as by the Statute of 2. 3 E. 6. 1. is ordained, under the pains in that Statute expreſſed.

XV. If any ſhall be convicted by Verdict of twelve men, before Juſtices of Aſſize, *Oyer*, *Terminer*, or Peace in Seſſions, to have wittingly heard, or have been preſent at any other form of Common-Prayer, Adminiſtration of Sacraments, making of Miniſters, or other rites then what are expreſſed in the ſaid Book, or which are contrary to the ſaid Statute of 2. and 3 E. 6. 1. ſhall for the firſt offence, ſuffer ſix months impriſonment without bail, for the ſecond, twelve months impriſonment; and for the third, impriſonment during life.

XVI. **Stat.** 1. *M. Seſſ.* 2. *cap.* 3. If any ſhall diſturb a Preacher lawfully licenſed, he ſhall be by the Conſtables, or Churchwardens of the Pariſh, brought before a Juſtice of Peace, who, upon due ac-

cuſation

cuſation, ſhall preſently commit him to ſafe cuſtody, and within ſix dayes after, together with another Juſtice, ſhall diligently examine the fact, who, if they find cauſe, ſhall commit him to the common Goal, there to remain for three months, and from thence to the next Quarter-Seſſions; at which, upon the parties reconciliation, and entring into Bond for good behaviour for one whole year (at the diſcretion of the Juſtices in Seſſions) he ſhall be releaſed: but if he perſiſt ſtill in his obſtinacy, he ſhall remain in priſon without bail, untill he ſhall reconcile, and be penitent for his offence.

XVII. He that reſcues an offender in this kind, ſhall ſuffer like impriſonment, as aforeſaid; and beſides, ſhall forfeit 5 *l.* to the Queen.

XVIII. The Inhabitants of a Town that ſuffer ſuch an offender to eſcape, ſhall forfeit 5 *l.* being preſented before the Juſtices of Peace in Seſſions within the County or Corporation where the eſcape was made.

XIX. Juſtices of Peace, Aſſize, and *Oyer* and *Terminer*, and Mayor and Head-officers of Corporations, have power to hear and determine theſe offences, and to impoſe the fines aforeſaid.

XX. This Act ſhall not reſtrain the juriſdiction of the Eccleſiaſtical Laws; Howbeit, none ſhall be puniſhed here for one offence.

XXI. **Stat.** 1 El. 1. Every Miniſter ſhall uſe the Church-Service in ſuch form as is mentioned in the Book of Common-Prayer eſtabliſhed by 5. 6 E. 6. 1. together with the addition of certain Leſſons to be uſed on every Sunday in the year, and the form of the Letany altered and corrected, and two Sentences only added in the delivery of Sacrament to Communicants.

XXII. If any Miniſter ſhall be convicted by the Verdict of twelve men, his own confeſſion, or notorious evidence of the fact, to have refuſed to uſe the Church-Service; or to have uſed any other rite, Ceremony, Order, Form, or manner then is ſet forth in the ſaid Book, or to have depraved the ſame Book, or any thing therein contained, he ſhall forfeit (being a Beneficed man) for the firſt offence, one whole years profit of all his Spiritual promotions, and ſuffer ſix months impriſonment; for the ſecond, ſhall be deprived, *ipſo facto*, whereupon every Patron may preſent, and ſhall ſuffer one whole years impriſonment: And for the third, ſhall be alſo deprived, as aforeſaid, and ſuffer impriſonment during life: And if he be not Beneficed, for the firſt offence he ſhall ſuffer one whole years Impriſonment, and for the ſecond, impriſonment during life,

XXIII. If any ſhall be convicted, to have by Enterludes, Players, Songs, Rhymes, or otherwiſe, depraved the ſaid Book, or to have compelled or procured the Miniſter to ſing or ſay any other Church-Service, or in any other form then as aforeſaid: or by any ſuch means, have interrupted, or let the Miniſter to ſing or ſay the ſaid Service; they ſhall for the firſt offence, forfeit 100 Marks to the Queen, or that not paid (within ſix weeks after conviction) ſhall ſuffer (inſtead thereof) ſix months impriſonment; for the ſecond offence, ſhall forfeit 400 Marks, or that not paid (within ſix weeks as aforeſaid) ſhall ſuffer one whole years impriſonment: and for the third offence, ſhall forfeit all their goods and chattels, and ſuffer impriſonment during life.

XXIV. Every perſon ſhall reſort to their Pariſh Church, (or upon let thereof) to ſome other, every Sunday and holiday, upon pain to be puniſhed by cenſures of the Church, and alſo to forfeit 12 *d.* to be levied by the Churchwardens there, for the uſe of the poor, upon the offenders goods by way of diſtreſs.

XXV. Juſtices of *Oyer* and *Terminer*, and of Aſſize, and Mayors and Head-officers of Corporations, have power to hear and determine theſe offences; unto whom the Archbiſhop or Biſhop of the Dioceſs may aſſociate himſelf, if he pleaſe, howbeit, *Note that by the* Statute of 23 El. 1. *Juſtices of Peace have alſo power to meddle therein, which ſee in title* Crown.

XXVI. None ſhall be impeached by this Act, unleſs the offence be preſented at the next Seſſions of *Oyer* and *Terminer*, or Aſſize after it is committed, and here tryal of a Peer ſhall be by Peers.

XXVII. This Act ſhall not reſtrain Eccleſiaſtical Juriſdiction, howbeit none ſhall be puniſhed twice for one offence.

XXVIII. Such Ornaments and Miniſters of the Church ſhall be retained, as were to be in the Church of *England*, by the Statute of 2. 3 El. 6. 1. untill the Queen ſhall take other order by the advice of Commiſſioners, by her to be appointed, under the Great Seal, or by the advice of the Metropolitan of this Realm.

XXIX. If any contempt or irreverence be uſed in the Ceremonies or Rites of the Church, by miſ-uſing the Orders appointed in the Book of Common-Prayer, the Queen by like advice of the ſaid Commiſſioners or Metropolitan, may ordain ſuch further Ceremonies, or Rites, as may be moſt for Gods glory, the edifying of the Church and reverence of Chriſts holy Miniſteries and Sacraments.

XXX. All other Laws made for other ſervice ſhall be void.

XXXI. **Stat.** 5 El. 28. An Act for tranſlating of the Bible and Book of Common-Prayer into the *Welſh* Tongue: Alſo there ſhall

ſhall be an *Engliſh* Bible and Book of Common Prayer in every Church of *Wales*.

XXXII. **Stat.** 3 Jac. 1. All Miniſters in every Cathedral and Pariſh Church, or other uſual place for Common Prayer within the Kings Dominions, ſhall alwayes upon the fifth day of *November*, ſay morning Prayer, and give thanks to God for the happy deliverance of the King, Queen, Prince, and both Houſes of Parliament upon that day.

XXXIII. Every perſon within the Kings Dominions ſhall alwayes upon that day, diligently reſort to his Pariſh Church or Chappel, or to ſome uſual Church or Chappel, where the ſaid Common Prayer, Preaching, and other ſervice of God ſhall be uſed, and there orderly abide during the ſaid ſolemnity.

XXXIV. Every Miniſter ſhall give warning publickly in the Church at morning Prayer, the Sunday before every ſuch fifth of *November*, for the due obſervation of the ſaid day, and after morning Prayer, or Preaching upon the ſaid fifth day of *November*, ſhall read publickly and diſtinctly this preſent Act.

See more, Title *Religion*.

Severn.

I. **Stat.** 34. 35 H. 8. 9. A penalty for caſting any Ballaſt or Robul in King-rode, in any part of the Haven in *Briſtol*.

II. None ſhall load any Corn in any Veſſel by the water of *Severn*, to be tranſported beyond Sea, before he be bound to the Cuſtomer of *Briſtol* to bring it firſt to *Briſtol* to be there viewed by the Mayor there for the time being, in pain to forfeit both the grain and Veſſel.

III. The penalty where one bringeth more Corn to *Briſtol* to be meaſured, and thence to be tranſported, then is contained in his Cocket or Licenſe, which is to be delivered unto him by the ſaid Mayor when he takes bond of him as aforeſaid.

IV. The penalty for denying to meaſure the Corn at *Briſtol*, is five pounds for every time, to be divided betwixt the King and the Proſecutor: *See the Statute at large.*

☞ Sewers.

I. **Stat.** 6 H. 6. 5. During ten years ſeveral Commiſſions of Sewers ſhall be made to divers perſons by the Chancellor of *England*, to be ſent into all parts of the Realm, where need ſhall be, ac-

cording to the form in the ſaid Statute expreſſed; *for which ſee the Statute at large, being here omitted, becauſe a latter Commiſſion was afterwards ordained by the Statute of* 23 H. 8. 5. *which ſee after in the proper place.*

II. **Stat.** 8 H. 6. 3. Commiſſioners of Sewers, ſhall have power to do, ordain and execute all ſuch Statutes, Ordinances; and other things as ſhall be made, according to the effect and purport of the Commiſſion of Sewers, ordained by the Statute of 6 H. 6. 5.

III. **Stat.** 18 H. 6. 10. Commiſſion of Sewers ſhall be awarded, where need ſhall require, during ten years.

IV. **Stat.** 23 H. 6. 9. The Chancellor of *England* may grant Commiſſions of Sewers, during fifteen years.

V. **Stat.** 12 E. 4. 6. The Chancellor of *England* may grant Commiſſions of Sewers for 15 years, where need ſhall require.

VI. **Stat.** 4 H. 7. 1. Commiſſions of Sewers ſhall be granted, during 25 years.

VII. **Stat.** 6 H. 8. 10. Commiſſions of Sewers ſhall be granted during ten years, according to the Statute of 6 H. 6. 5. and 4 H. 7. 1.

VIII. **Stat.** 23 H. 8. 5. Commiſſions of Sewers ſhall be directed into all parts of the Realm, from time to time, where, and when need ſhall require, according to the manner, form, and tenor hereafter following, to ſuch ſubſtantial and indifferent perſons as ſhall be named by the Lord Chancellor, and Lord Treaſurer of *England*, and the two Chief Juſtices, or any three of them, whereof the Lord Chancellor is to be one.

IX. *Henry* the eighth, &c. Know ye, that foraſmuch as the walls, ditches, banks, gutters, Sewers, Gates, Calcies, Bridges, ſtreams, and other defences by the Coaſts of the Sea, and Marſh-ground, being, and lying within the limits of *A. B.* and *C.* in the County or Counties of

or in the borders or confines of the ſame, by rage of the Sea flowing and re-flowing, and by means of the trenches of freſh water deſcending, and having courſe by divers wayes to the Sea, be ſo dirupt, lacerate and broken: And alſo the common paſſages of Ships, Balelengers and Boats in the rivers, ſtreams, and other floods within the limits of *A. B.* and *C.* in the County or Counties of

or in the borders, or confines of the ſame, by mean of ſetting up, erecting and making ſtreams, mills, bridges, ponds, fiſhgarths, mill-dams, locks, hebbing-wears, hecks, flood-gates, or other lets, impediments, or annoyances, be letted, or interrupted; ſo that great and ineſtimable damage for default of reparation of the

the ſaid Walls, Ditches, Banks, Fences, Sewers, Gates, Gutters, Calcies, Bridges, and ſtreams, and alſo by mean of ſetting up, and erecting, making, and enlarging of the ſaid fiſh-garths, mill-dams, locks, hebbing-wears, hecks, flood-gates, and other annoyances, in times paſt, hath happened, and yet is to be feared, that far greater hurt, loſs and damage is like to enſue, unleſs that ſpeedy remedy be provided in that behalf.

X. We therefore, for that, by reaſon of our Dignity and Prerogative Royal, we be bound to provide for the ſafety and preſervation of our Realm of *England*, willing that ſpeedy remedy be had in the premiſſes, have aſſigned you, and ſix of you, of the which we will, that *A. B.* and *C.* ſhall be three, to be our Juſtices to ſurvey the ſaid Walls, Streams, Ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, Trenches, Mills, Mill-dams, Flood-gates, Ponds, Locks, Hebbing-wears, and other impediments, lets and annoyances aforeſaid, and the ſame cauſe to be made, corrected, repaired, amended, put down, or reformed, as cauſe ſhall require, after your wiſdomes and diſcretions. And therein as well to ordain, and do after the tenor, form, and effect of all and ſingular the Statutes and Ordinances, made before the firſt day of *March*, in the three and twentieth year of Our Reign, touching the premiſſes, or any of them, as alſo to enquire by the oaths of the honeſt and lawful men of the ſaid Shire, or Shires, place, or places, where ſuch defaults or annoyances be, as well within Liberties as without (by whom the truth may the rather be known) through whoſe default the ſaid hurts and damages have happened, and who hath, or holdeth any lands, or tenements, or common of Paſture, or profit of fiſhing, or hath, or may have any hurt, loſs, or diſadvantage by any manner of means in the ſaid places, as well near to the ſaid dangers, lets, and impediments, as inhabiting, or dwelling thereabouts, by the ſaid walls, ditches, banks, gutters, gates, ſewers, trenches, and other the ſaid impediments and annoyances. And all thoſe perſons, and every of them, to tax, aſſeſs, charge, diſtrain, and puniſh, as well within the meets, limits, and bounds, of old time accuſtomed, or otherwiſe, or elſwhere within our Realm of *England*, after the quantity of their lands, tenements, and rents by number of acres and perches, after the rate of every perſons portion, tenure, or profit, or after the quantity of their common Paſture, or profit of fiſhing, or other commodities there by ſuch wayes and means, and in ſuch manner and form, as you, or ſix of you, whereof the ſaid *A. B.* and *C.* to be three, ſhall ſeem moſt convenient to be ordained and done, for redreſs and reformation to be had in the premiſſes;

And alſo to reform, repair, and amend the ſaid Walls, Ditches, Banks, Gutters, Sewers, Gotes, Calcies, Bridges, Streams, and other the premiſſes in all places needfull: and the ſame as often and where need ſhall be to make new, and to cleanſe and purge the trenches, ſewers, and ditches in all places neceſſary; and further to reform, amend, proſtrate, and overthrow, all ſuch Mills, Streams, Ponds, Locks, Fiſh-garths, hebbing-wears, and other impediments, and annoyances aforeſaid, as ſhall be found by inquiſition, or by your ſurveying, and diſcretions to be exceſſively hurtful. And alſo to depute and aſſign diligent, faithful, and true keepers, Bailiffs, ſurveyors, collectors, expenditors, and other miniſters and officers, for the ſafety, conſervation, reparation, reformation, and making of the premiſſes, and every of them, and to hear the accompt of the Collectors and other Miniſters, of and for the receipt and laying out of the money that ſhall be levied and paid in, and about the making, repairing reforming, and amending of the ſaid walls, ditches, banks, gutters, gotes, ſewers, calcies, bridges, ſtreams, trenches, mills, ponds, locks, fiſh-garths, flood-gates, and other impediments and annoyances aforeſaid. And to diſtrain for the arrerages of every ſuch collection, tax, and aſſeſsment, as often as ſhall be expedient, or otherwiſe to puniſh the debtors and detainers of the ſame, by fines, amerciaments, pains, or other like means, after your good diſcretions. And alſo to arreſt, and take as many carts, horſes, oxen, beaſts, and other inſtruments neceſſary, and as many workmen, and labourers, as for the ſaid works and reparation ſhall ſuffice, paying for the ſame competent wages, ſalary, and ſtipend in that behalf: And alſo take ſuch, and as many trees, woods, and underwoods, and timber, and other neceſſaries, as for the ſame works and reparations ſhall be ſufficient, at a reaſonable price by you, or ſix of you, of the which we will that *A. B.* and *C.* ſhall be three, to be aſſeſſed, or limited, as well within the limits and bounds aforeſaid, as in any other place, within the ſaid County, or Counties near unto the ſaid places: and to make and ordain Statutes, Ordinances, and Proviſions, from time to time, as the caſe ſhall require, for the ſafeguard, conſervation, redreſs, correction and reformation of the premiſſes, and of every of them, and the parts lying to the ſame neceſſary and behooſefull after the laws and cuſtoms of *Rumney* Marſh in the County of *Kent*, or otherwiſe, by any wayes and means after your own wiſdoms and diſcretions. And to hear and determine, all and ſingular the premiſſes, as well at our ſuit, as at the ſuit of any other whatſoever complaining before you, or ſix of you whereof *A. B.* and *C.* ſhall be three, after the Laws and Cuſtoms aforeſaid,

ſaid, or otherwiſe, by any other ways and means after your diſcretions. And alſo to make and direct all Writs, Precepts, Warrants, and other commandments by vertue of theſe Preſents, to all Sheriffs, Bailiffs, and other Miniſters, Officers, and other perſons, as well within Liberties as without, before you, or ſix of you, whereof the ſaid *A.B.* and *C.* to be three, at certain days, terms, and places to be returned and received. And further, to continue the Proceſs of the ſame, and finally, to do all and every thing and things, as ſhall be requiſite for the due execution of the Premiſſes, by all ways and means, after your diſcretions. And therefore we command you, That at certain days and places, when, and where you, or ſix of you, whereof the ſaid *A.B.* and *C.* to be three, ſhall think expedient, ye do ſurvey the ſaid walls, fences, ditches, banks, gutters, gotes, ſewers, calcies, ponds, bridges, rivers, ſtreams, water-courſes, mills, locks, trenches, fiſh-garths, flood-gates, and other lets, impediments, and annoyances aforeſaid, and accompliſh, fulfill, hear and determine all and ſingular the premiſſes, in due force, and to the effect aforeſaid, after your good diſcretions. And all ſuch as ye ſhall find negligent, gainſaying, or rebelling in the ſaid works, reparation, or reformations of the premiſſes, or negligent in the due execution of this Commiſſion, that ye do compell them by diſtreſs, fines, and amerciaments, or by other puniſhment, ways, or means, which to you, or ſix of you, whereof the ſaid *A.B.* and *C.* ſhall be three, ſhall ſeem moſt expedient for the ſpeedy remedy, redreſs, and reformation of the premiſſes, and due execution of the ſame. And all ſuch things as by you ſhall be made and ordained in this behalf, as well within Liberties as without, that you do cauſe the ſame firmly to be obſerved, doing therein, as to Juſtice appertaineth; after the Laws and Statutes of this Realm, and according to your wiſdoms and diſcretions.

XI. Save always to us ſuch fines and amerciaments, as to us thereof ſhall belong. And we alſo command our Sheriff or Sheriffs of our ſaid County or Counties of that they ſhall cauſe to come before you, or ſix of you, of which *A.B.* and *C.* ſhall be three, at ſuch days and places, as ye ſhall appoint to them, ſuch and as many honeſt men of his or their Bailiwick, as well within the Liberties as without, by whom the truth may beſt be known, to inquire of the premiſſes. Commanding alſo all other Miniſters and Officers, as well within Liberties as without, that they and every of them ſhall be attendant unto you, in and about the due execution of this our Commiſſion. In witneſs whereof we have cauſed theſe our Letters to be made Patents. Witneſs Our Self at *Weſtminſter*, the day of in the year of Our Reign.

Here,

XII. Here, every perſon named a Commiſſioner, as ſoon as he ſhall have notice thereof, ſhall effectually put his diligence and attendance thereunto: Howbeit, he ſhall not put the Commiſſion in execution, becauſe he ſhall (before the Lord Chancellor, or ſome others, whom He by a *Dedimus* ſhall thereto aſſign, or before the Juſtices of Peace in Seſſions of the County, to which the Commiſſion is directed) take the Oath following:

XIII. *Ye ſhall ſwear, that you to your cunning, wit, and power, ſhall truly and indifferently execute the authority to you given by this Commiſſion of Sewers, without any favour, affection, corruption, dread, or malice, to be born to any manner of perſon or perſons, and as the caſe ſhall require, ye ſhall conſent and endeavour your ſelf for your part, to the beſt of your knowledg and power, to the making of ſuch wholeſome, juſt, equall, and indifferent Laws and Ordinances as ſhall be made and deviſed by the moſt diſcreet and indifferent number of your fellows, being in Commiſſion with you, for the due redreſs, reformation, and amendment of all and every ſuch things, as are contained and ſpecified in the ſaid Commiſſion; And the ſame Laws and Ordinances, to your cunning, wit and power, cauſe to be put in execution, without favour, meed, dread, malice, or affection, as God you help, and all Saints.*

XIV. All Statutes of Sewers heretofore made, are confirmed.

XV. The Commiſſioners have power to make and ordain Laws, Ordinances, and Decrees, and all and every thing mentioned in their Commiſſion, according to the true meaning thereof, and the ſame to reform, repel, and amend, and make new, as need ſhall require.

XVI. If any perſon, aſſeſſed to any lot, or charge for any lands, tenements, or hereditaments, within the limits of any Commiſſion, do not pay the ſame, according to the Ordinance of the Commiſſioners, by reaſon whereof the ſaid Commiſſioners decree the ſame lands, tenements, or hereditaments from the owner or owners thereof, and their heirs to any other for years, life, or in fee, for the payment of the ſaid lot or charge; Every ſuch Decree and Ordinance by them made, ingroſſed in parchment, and certified into the Chancery, under their ſeals (with the Kings aſſent thereunto alſo had) ſhall bind all ſuch perſon or perſons having any Eſtate in the premiſſes, in uſe, poſſeſſion, reverſion, or remainder, their heirs and feoffees, and ſhall not be otherwiſe reformed then in Parliament.

XVII. The Kings Lands, Tenements, and Hereditaments, ſhall be as liable to the Laws, Ordinances, and Decree of the Commiſſioners, or any ſix of them, as thoſe of any other.

If

XVIII. If a Commiſſioner not ſworn, as aforeſaid, or being ſworn, and not having lands, tenements, or hereditaments, to his own uſe, in fee or for life, worth 40 marks *per annum*, beſides repriſes (except reſiant and free of a Corporation, and having moveables worth 100 *l.* or elſe an utter Bariſter) do attempt to execute the ſaid Commiſſion, he ſhall forfeit for every time ſo doing, 40 *l.* to be divided betwixt the King and the proſecutor.

XIX. Avowry and Juſtification of a diſtreſs taken, or of any other Act done, by reaſon of the ſaid Commiſſion, ſhall be made without any expreſs, or rehearſal of any other matter contained in this Act, or any Commiſſion, Laws, or Ordinances thereupon made; whereupon the Plaintiff ſhall be admitted to reply, that the Defendant did take the ſaid diſtreſs, or did any other act or treſpaſs of his own wrong, and thereupon the iſſue ſhall be tryed by the Verdict of twelve men, and not otherwiſe; And upon the trial, the whole matter on both parts ſhall be given in evidence: And here, if the verdict paſs for the Defendant, or the Plaintiff be non-ſuit, the Defendant ſhall recover his treble damages and coſts, to be aſſeſſed by the ſame Jury, or a Writ to inquire of damages, as the cauſe ſhall require.

XX. The Commiſſioners ſhall have for their pains, 4 *s.* a day, and the Clerks 2 *s.* a day out of the taxes aforeſaid, &c. Alſo the Commiſſioners, or any ſix of them, have power (at their diſcretions) to allow out of the ſaid taxes, more to the Clerk for Writing-Books, and Proceſs, and to Collectors and others, that take pains in the due execution of the ſame Commiſſion.

XXI. When any ſuch Commiſſion is directed for the reformation of any thing within the Dutchy of *Lancaſter*, the Commiſſioners ſhall be named by the Lord Chancellor, Lord Treaſurer, the two chief Juſtices, and the Dutchy, or any three of them, whereof the Lord Chancellor, and Chancellor of the Dutchy, are to be two: And in this caſe, two Commiſſions ſhall iſſue forth, *viz.* one under the Great Seal, and the other under the Seal of the Dutchy.

XXII. The fees for every ſuch Commiſſion, ſhall be 2 *s.* 6 *d.* to the King for the Seal, and 5 *s.* to the Clerk for writing and enrolling it, and no more.

XXIII. A Commiſſion of Sewers ſhall continue in force but three years from the *Teſte*, and the King (by a *Superſedeas* out of the Chancery) may diſcharge any Commiſſion or Commiſſioner, at his pleaſure.

XXIV. The Laws, Decrees, or Ordinances of the Commiſſioners ſhall continue no longer in force then their Commiſſion; unleſs they be engroſſed in parchment, and certified under their ſeals

into

into the Chancery, and the Kings aſſent obtained thereunto.

XXV. When any ſuch Commiſſion is directed into *Wales*, and any other County Palatine, two Commiſſions ſhall iſſue out, *viz.* one under the Great Seal, and the other under the Seal of ſuch County Palatine, in like manner as is above ordained for the Dutchy of *Lancaſter*.

XXVI. The Kings aſſent aforeſaid, ſhall be certified into the Chancery under his Privy Seal without fee, only the Clerk ſhall have two ſhilling for writing the Certificate, and not above.

XXVII. The Chancellors of the Principality of *Wales*, or any other County Palatine, having the cuſtody of the Seal there, upon requeſt made, and upon ſight of the Commiſſion under the Great Seal, may thereupon make out another under the Seal of ſuch County Palatine according to the tenor of the Kings Commiſſion, and alſo to the Commiſſioners therein named, except within the Dutchy of *Lancaſter*, for which the proviſion aboveſaid ſhall be obſerved.

XXVIII. **Stat.** 25 *H.* 8.10. None ſhall be compelled to be ſworn, or to ſit or travell in the execution of any Commiſſion of Sewers, unleſs he be dwelling within the County, whereof he is aſſigned a Commiſſioner.

XXIX. If any Commiſſioner being required by any, having authority by the Kings Writ, or otherwiſe, to give him the Oath provided by 23 *H.*8.5. ſhall refuſe to take it, upon ſuch refuſal or contempt done in Chancery, or returned thither with the ſaid Writ, he ſhall loſe five marks for every ſuch contempt, unleſs he alledg ſufficient cauſe in Chancery the ſame Term (wherein ſuch return is made) for his excuſe and diſcharge in that behalf.

XXX. **Stat.** 3. 4 *E.*6.8. The Statute of 23 *H.* 8. 5. is made perpetual, in ſuch manner as it may ſtand with the ſequel and additions hereafter mentioned.

XXXI. All ſums of money rated by Commiſſion of Sewers, upon any of the Kings land, ſhall be leviable by diſtreſs or otherwiſe, as may be done in the lands of other perſons, and acquittances under the hand of ſuch Collector or Receiver as ſhall be appointed by the Commiſſioners, or any ſix of them, ſhall be a ſufficient diſcharge as well to the Tenants of the Kings Lands, as alſo to the Receiver, Auditor or other Officer, for the allowance of the ſaid rates to ſuch Tenants.

XXXII. Like fees ſhall be paid for Commiſſions, and *Dedimus Poteſtatem*, under the Dutchy Seal, as are paid for them obtained under the Great Seal.

XXXIII. A Commiſſion of Sewers ſhall endure five years, unleſs in the mean time it be *ſuperſeded*.

XXXIV. **Stat.** 1 *M. Parliament*, 2. *Cap.* 11. The Statute of 23 *H.* 8. 5. and all Commiſſions of Sewers, ſhall extend and give authority, that the Commiſſioners therein named for the County of *Glamorgan*, or ſix of them, (whereof three to be of the *Quorum*) ſhall by this Act, and the ſaid Statute of *H.* 8. and Commiſſion, have power to make Laws, Ordinances and Decrees within the ſaid County, for the redreſs and ſaving of grounds there from hurt and deſtruction, by reaſon of ſand riſing out of the Sea, and driven to land by ſtorms and winds, as they may do by the ſaid former Act and Commiſſion, for avoiding the outragious courſe and rage of the Sea and other waters.

XXXV. **Stat.** 13 *El.* 9. All Commiſſions of Sewers ſhall continue in force for ten years after the date thereof, unleſs they be repealed by a new Commiſſion, or a *Superſedeas*.

XXXVI. All Laws, Ordinances, and Conſtitutions, duly made according to the Statute of 23 *H.* 8. 5. and written in parchment indented, under the Seals of the Commiſſioners, or ſix of them (whereof one part ſhall remain with the Clerk of the Commiſſion, and the other in ſuch place, as the Commiſſioners, or ſix of them ſhall appoint) ſhall without any Certificate to be made into the Chancery, and without the Kings aſſent, continue in force; notwithſtanding any determination of ſuch Commiſſion by *Superſedeas*, untill the ſame Laws, Ordinances and Conſtitutions ſhall be altered, repealed, or made void by Commiſſioners afterwards aſſigned.

XXXVII. After the end of ten years next after the *Teſte* of a Commiſſion, all Laws, Ordinances, and Conſtitutions, made by vertue thereof, and written in parchment, indented and ſealed as aforeſaid, ſhall, notwithſtanding ſuch determination of the Commiſſion, continue in force one whole year, after the ſaid ten years; during which time, the Juſtices of Peace of the County or Counties, whither it is directed, or ſix of them (two *Quorum*) have power to execute ſuch Commiſſion and Law, *&c.* as fully as the Commiſſioners themſelves, unleſs in the *interim*, a new Commiſſion be ſent forth.

XXXVIII. No Farmer for years of any Lands, &c. lying within the limits of the Commiſſion (which ſhall be chargeable with any Laws, &c. made by vertue of any ſuch Commiſſion, wherein he ſhall be a Commiſſioner) not having an Eſtate of Freehold in *England* worth 40 *l. per annum*, ſhall have any power to ſit or intermeddle with any ſuch Commiſſion, during the time he ſhall be Farmer, and

not have Freehold, as aforesaid, but every such Commission as to him only shall be adjudged void.

XXXIX. There shall be no certificate or return of the Commission, or of any of their Laws, Ordinances, or doings, by vertue thereof.

XL. The Clerk of the Commission, shall yearly estreat all issues, fines, penalties, forfeitures and amerciaments, due and answerable to the Queen, her heirs and successors, and shall yearly deliver them into the Exchequer (as Justices of Peace ought to do by vertue of their Commission) in pain of 5 *l.*

XLI. Provided, that the abovesaid Farmer may act in the Commission as concerning all other Lands, save only the Lands whereof he is so Farmer, as aforesaid.

XLII. **Stat.** 3 *Jac.* 14. All Walls, Ditches, Banks, Gutters, Sewers, Gates, Causeys, Bridges, Streams, and Water-courses, within two miles of *London*, having their fall into *Thames*, shall be subject to the Commission of Sewers, and to all Statutes made for Sewers, and to all penalties in the said Statutes contained.

XLIII. **Stat.** 12 *Car.* 2. *cap.* 6. Commissioners of the Sewers to be made by the Lord Chancellor and others, *pro hac vice*, there being no Lord Treasurer, nor Chief Justice of either Bench, according as by the *Stat.* 23 *H.* 8. *cap.* 5. is appointed to joyn herein.

Sheep.

* I. **Stat.** 3 *H.* 6. 2. None shall transport Sheep beyond Sea, without the Kings license, in pain to forfeit them, or the value thereof.

* II. **Stat.** 25 *H.* 8. 13. None shall keep in his own possession at any one time above two thousand Sheep, in pain to forfeit for every Sheep kept above that number, 3 *s.* 4 *d.* to be prosecuted for a subject within one year, and for the King within three; but here Lambs shall not be accounted as Sheep till Midsummer twelve moneth after their fall.

III. If any happen to have more Sheep than two thousand, by reason of any Executorship, or marriage, they shall not be impeached by this Law, so that within one year after they put off so many, that at the end of that year, they may not have above two thousand: Neither shall a child during his nonage (nor any person for him) be endamaged by this Act, which child shall have by legacy above two thousand Sheep given him.

Justices

IV. Justices of Peace have power to hear and determine the offences committed against this Act, but shall not set a less fine then is limited by the same.

V. Every temporal Subject may keep upon his own Demesne lands, as many Sheep as he will, or for the maintenance of his house, above the number of two thousand, notwithstanding this Act.

VI. How Foulds, courses and quillets of lands in *Norfolk* and *Suffolk* shall be used, and to which quillets, this Statute shall extend. *See the Statutes at large.*

VII. A thousand of Sheep (meant by this Statute) shall be accompted after the rate of six score to the Hundred.

VIII. None shall take to Farm above two Farms together, and they are to be scituate in the same Parish where he dwells, in pain to forfeit 3 *s.* 4 *d.* for every week he takes the profits of them.

IX. Spiritual persons shall keep Sheep, as they have used to do notwithstanding this Act.

☞ Sheriff.

*I. **Stat.** *De finibus levatis, cap.* 2. 27 E. 1. Sheriffs shall not be charged with any issues to be levied; nor shall levy any, before they pass out of the Exchequer, being there delivered by the estreats of the Justices, in which estreats, every head shall be charged for issues forfeited, like as of amerciaments.

II. If the Sheriff will charge himself with the issues of any Recognisor, Pledg, or Mainpernor, who is not able to pay them, the Sheriff shall be charged therewith in the Exchequer.

III. Sheriffs shall make talyes of all money received by them or their Officer, in pain of great forfeitures: And shall not return any Mainpernors, Jurors, or others, except (according to the tenor of the Kings Writ) they be lawfully impannelled; Neither shall they return any Freeman as pledges without their consent.

IV. A Baron and a Clerk of the Exchequer, shall be sent once every year through every County of *England*, to inquire the names of such as have paid the Green-wax that year, and shall also view all such Talyes and enroll them, as shall hear and determine complaints made against Sheriffs, and their Clerks and Bailiffs, that shall do contrary to the premises, and the offenders shall be grievously punished.

V. *Artic. sup. Chart.* 8. 28 E. 1. The people of every County, shall have election of their Sheriff, where the Sherivalty is not of fee.

VI.

VI. Artic. sup. Chart. 13. 28 E. 1. The Commons of every County shall choose such Sheriffs, as shall not charge them, nor put any Officer into authority for rewards or bribes, nor lodg too oft in one place, neither yet with poor persons, or men of Religion.

VII. *The Statute of* Sheriffs, 9 E. 2. Sheriffs shall be assigned by the Chancellor, Treasurer, Barons of the Exchequer, and Justices; And in the absence of the Chancellor, by the Treasurer, Barons, and Justices.

VIII. None shall be Sheriff, except he have sufficient land in the County where he is Sheriff, to answer the King and his people.

IX. No Steward or Bailiff, to a great Lord, shall be Sheriff, except he be out of service, so that he may attend to execute his Office for the King and his people.

X. Hundreds also (both the Kings and other) shall be kept by convenient and able persons, having sufficient lands within the same Hundred, or in the County where the Hundred is; And they shall be leased to such persons at reasonable rents, to the end they may not extort upon the people: But no Sheriff or Hundreder shall lease their Office to any other in farm, or otherwise.

XI. Execution of Writs that come to the Sheriffs, shall be done by Hundreders, sworn and known in full County, and not by any other, unless such Hundreders be in default, and then execution shall be done by others, meet and sworn, so as the people may know to whom to sue such executions; saving alwayes return of Writs to them that ought to have them.

XII. Stat. *De attinctis*, 13 E. 2. Vide *Rastal, Sheriffs*, 5. When Sheriffs, and other Ministers, being impleaded in the Exchequer (for receiving the Kings debts, by Tallyes, or Acquittances, and not acquitting the parties thereof in that Court) are so far gone in plea, that the great distress is returned against them, and they come not then in to answer, then shall issue out another distress, returnable at a certain day, by which Writ Proclamation shall be made in full County, that the Defendant appear at the day and acquit the debt, for which he made such tally or acquittance, at which day if he come not, and the Writ be returned, and the Proclamation certified, he shall be holden as convict, and the debt shall be taken of him as of debt recovered in the Kings Court, and damages shall also be awarded to the Plaintiff at the discretion of the Barons; Howbeit, none shall be hindred by this Statute to complain of Sheriffs and other Ministers when they shall be found in the Exchequer, to make them answer there, as hath been formerly used.

Stat.

XIII. **Stat.** 2 E. 3. 4. The Statute of 9 E. 2. is confirmed, and Sheriffs and Bailiffs of fee ſhall cauſe their Counties and Bailiwicks to be kept by ſuch as have lands therein.

XIV. **Stat.** 2 E. 3. 12. From henceforth Hundreds and Wapentakes, ſhall be again adjoyned to the Counties, and ſhall never hereafter be given or ſevered therefrom.

XV. **Stat.** 4 E. 3. 9. Sheriffs, Eſcheators, and Bailiffs of Hundreds and Franchiſes, ſhall have ſufficient in the places where they are Miniſters, whereof to anſwer the King and his people, in caſe any man complain againſt them.

XVI. **Stat.** 4 E. 3. 10. Sheriffs and Goalers ſhall receive and ſafely keep ſuch thieves and felons, as ſhall be delivered them by Conſtables or Townſhips without taking any thing for ſuch receipt: And the Juſtices aſſigned to deliver the Goal, ſhall have power to hear ſuch complaints, and to puniſh ſuch Sheriffs and Goalers as they ſhall find guilty herein.

XVII. **Stat.** 4 E. 3. 15. Sheriffs ſhall let their Hundreds and Wapentakes for the old Farm, and not above; And the Juſtices aſſigned, ſhall have power to enquire of Sheriffs, and to puniſh them, if they ſhall find them guilty herein.

XVIII. **Stat.** 5 E. 3, 4. None ſhall be Sheriff, Under-Sheriff, Eſcheator, Bailiff of Franchiſes, Wapentakes, Hundreds, or Tythings, unleſs he have ſufficient lands in the County, whereof to anſwer the King and his people, if any will complain.

XIX. **Stat.** 14 E. 3. 7. No Sheriff ſhall continue in his Office above one year, and then another convenient man ſhall be choſen in his place (having lands ſufficient in his Bailiwick) by the Chancellor, Treaſurer, and Chief Baron, taking to them the Chief Juſtices, if they be preſent: And this ſhall be done yearly at the Exchequer, the next day after *All-Souls*.

XX. **Stat.** 14 E. 3. 9. All Wapentakes and Hundreds, which be ſevered from the Counties, ſhall be re-joyned to them again: The Sheriffs alſo ſhall hold the ſame in their own hands, and put in ſuch Bailiffs and Hundreders (having lands in the Bailiwicks and Hundreds) for whom they will anſwer.

XXI. If Sheriffs let any Hundreds, Bailiwicks, or Wapentakes to farm, they ſhall let them at the ancient farms, without any increaſe upon them: And the King and his people ſhall be hereafter ſerved with ſufficient Bailiffs, Hundreders, and their Under-Bailiffs, without employing Out-riders, who have heretofore in divers Counties, notoriouſly grieved the people: Neither ſhall any Bailiff errant be in any County, but only where they have uſed to be

in the time of the Kings Grandfather, and but one Bailiff errant in one County.

XXII. All ſuch as have Bailiwicks, or Hundreds in fee, ſhall put ſuch Bailiffs, for whom they will anſwer, and if they let them to farm, they ſhall take but the old farm, without any increaſe.

XXIII. The Juſtices of both the Benches, the Barons of the Exchequer, and Juſtices aſſigned, ſhall enquire after, and puniſh the offenders of this Ordinance, at their diſcretion, according to Law and Reaſon.

XXIV. If the Sheriffs, or their Fermors be found in default, and be thereof attainted, the Wapentakes and Hundreds ſhall be ſeiſed into the Kings hands, and by the Juſtices let to others: Such Officers likewiſe ſhall be impriſoned, and there remain, untill they make fine and ranſome to the King, according to the quantity of the Treſpaſs, and yet they ſhall anſwer the King the whole farm.

XXV. Lords having Hundreds, or Wapentakes in fee, ſhall place therein ſufficient Bailiffs, to anſwer the King and his people; and if their Bailiffs offend againſt this Ordinance, ſuch Bailiffs ſhall be called to anſwer, whereof, if they be attainted they ſhall have ſuch puniſhment as the Law requireth, and ſhall be alſo put out of their places, and others put in their places by the ſaid Law.

XXVI. **Stat.** 28 E. 3. 7. No Sheriff ſhall continue in his Office above one year.

XXVII. **Stat.** 28 E. 3. 9. No Writ ſhall be hereafter directed to the Sheriff to charge a Jury to indict any.

XXVIII. **Stat.** 42 E. 3. 9. *Pars inde.* No Sheriff, Under-Sheriff, or Sheriffs Clerk, ſhall continue in their Office above one year.

XXIX. **Stat.** 1 R. 2. 11. None having been Sheriff for one whole year, ſhall be Sheriff again within three years then next enſuing, if there be other ſufficient in the County, to anſwer the King and his people.

☞XXX. **Stat.** 1 H. 4. 11. Becauſe Sheriffs did much oppreſs the people, for that they were charged with the ancient farms of the Counties, whereof a great part had been granted to Lords and others; hereafter the Sheriffs upon their accounts in the Exchequer, ſhall have allowance (by their oaths) of the iſſues of their Counties: And if from henceforth any Sheriff extort upon the people, and be thereof attainted, he ſhall be puniſhed at the Kings will.

Stat.

XXXI. **Stat.** 4 H. 4. 4. Every Sheriff of *England* (*terra demurrant*) ſhall abide in proper perſon within his Bailiwick for the time that he ſhall be ſuch Officer: He ſhall not let his Bailiwick to farm: And he ſhall be ſworn to do the ſame in ſpecial amongſt other Articles compriſed in his Oath.

XXXII. **Stat.** 1 H. 5. 4. They who have been Sheriffs Bailiffs for one year, ſhall not bear that Office by three years next following, except in Sherifwicks inheritable..

XXXIII. No Under-Sheriff, Sheriffs Clerks, Receiver, or Sheriffs Bailiff, ſhall be Attorney in any of the Kings Courts, ſo long as he bears ſuch Office under the Sheriff.

XXXIV. **Stat.** 4 H. 5. 2. Sheriffs of *England* ſhall have allowance upon their accompts (by their oaths) of things caſual, as of eſtreats that be not in farm or demand, but for all things that run in yearly farms or demands, they ſhall be charged to the King, as in times paſt.

XXXV. **Stat.** 23 H. 6. 8. The Statute of 14 E. 3. 7. 42 E. 3. 9. and 1 R. 2. 11. ſhall be duly obſerved, except by Officers in *London*, and where any hath freehold or inheritance in the Sheriffs Office.

XXXVI. No Sheriff, or any of his under-officers (except before excepted) ſhall act contrary to the ſaid Statutes, in pain to forfeit yearly 200 *l.* and every pardon granted them in that behalf, or for the ſaid forfeiture, and every Patent made for that purpoſe ſhall be void, notwithſtanding the clauſe or word of *non obſtante*, be inſerted in any of them: And whoſoever ſhall hereafter act by any ſuch Patents, ſhall be for ever after diſabled to bear the Office of Sheriff in *England*.

XXXVII. The forfeiture aboveſaid, is to be divided betwixt the King and the proſecutor.

XXXVIII. **Stat.** 23 H. 6. 10. No Sheriff ſhall let to farm his County or Bailiwick; neither ſhall he, his Under-Sheriff, or any other Bailiff, return upon Enqueſt any Bailiff, Coroner, Steward, or any ſervant of theirs, neither ſhall they take any thing for arreſting, or for omitting to arreſt, ſave only the fees that follow, *viz.* for the Sheriff 20 *d.* for the Bailiff that makes the Arreſt, 4 *d.* and for the Goaler (when the party is committed) 4 *d.* Neither ſhall any Sheriff, Under-Sheriff, Sheriffs Clerk, Steward or Bailiff of Franchiſe, ſervant, Bailiff or Coroner, take above 4 *d.* for the copy of a Pannel.

XXXIX. Sheriffs and other Officers ſhall let to bail perſons by them arreſted, upon reaſonable ſureties, having ſufficient within the

County (persons in Ward by condemnation, exemption, *Capias utlagatum*, or *excommunicatum*, surety of Peace, or committed by command of the Justices, and Vagabonds, refusing to serve, only excepted).

XL. The said Officers shall take no bond of any Arrested person, but for appearance, and to themselves only, and shall not take for it more then 4 *d.* and Bonds otherwise taken (*colore officii*) shall be void.

XLI. Sheriffs shall make Deputies in the Kings Courts at *Westminster*, to receive Writs to be delivered unto him.

XLII. Sheriffs, Under-Sheriffs, Clerks, Bailiffs, Goalers, Coroners, Stewards, Bailiffs of Franchises, and all other Officers which do contrary to this Act, shall forfeit for every such offence, treble damages to the party grieved, and besides 40 *l.* to be divided betwixt the King and the prosecutor.

XLIII. Justices of Assize, of both the Benches, and of Peace, have power to hear and determime such offences.

XLIV. If the Sheriff return a *Cepi Corpus*, or *Reddidit se*, he shall be chargable to have the body of the party ready at that day of the return mentioned in the Writ.

XLV. The Warden of the Fleet, or of the Goal of the Kings Palace at *Westminster*, shall not be prejudiced by this Ordinance.

XLVI. **Stat.** 1 E. 4. 2. Sheriffs shall deliver all indictments and presentments taken in their turns, unto the Justices of Peace at their next Sessions, in pain of 40 *l.* who shall arreign, deliver, make Process, and proceed thereupon, as if they were taken before them, and shall deliver indented estreats of the fines to the Sheriff, to be levied to his own use: And here, if the Sheriff levy any fine, or commit any to prison, by colour of any such indictment or presentment, or otherwise then by Warrant from the Justices, as aforesaid, shall forfeit 100 *l.* Howbeit, Sheriffs of *London* shall not be restrained by this Act, nor such as have had fines formerly granted unto them.

XLVII. **Stat.** 12. E. 4. 1. If a Sheriff execute or return any Writ, Precept, or Warrant, into any of the Kings Courts in *Michaelmas*-Term, after the sixth day of *November*, (being commonly the day of the date of their Patent) and before any Writ of Discharge is delivered unto him, he shall not thereby incur the penalty of 200 *l.* ordained by the Statute of 23 H. 6. 8. Albeit he doth execute his Office after the returns of *Crastino Martini*, *Octabis Martini*, & *Quindena Martini*. after his year is out.

XLVIII. **Stat.** 17. E. 4. 6. Every old Sheriff may execute his

his Office, during *Michaelmas* and *Hillary* Terms, if he have not before a Writ of discharge, without danger of incurring any forfeiture or pain in respect thereof.

☞ XLIX. **Stat.** 11. H. 7. 15. No Sheriff, Under-sheriff, or Sheriffs Clerks, shall enter into the County-Court any plaint in the absence of the Plaintiff, or his Atturney, nor have above one plaint for one Cause, in pain of 40 *s.* to be divided betwixt the King and the prosecutor.

L. A Justice of Peace, upon complaint made, hath power to examine the aboveſaid Officers and Plaintiff, concerning the premises, and finding any of the same Officers guilty, shall within three months after, certifie that examination into the Exchequer, in pain of 40 *s.* upon which examination, the said Officers shall be convicted to pay the aboveſaid forfeiture of 40 *s.* without further enquirie.

LI. The Defendant in the County-Court, shall have lawful summons, and if the Bailiff be therein found faulty, he shall forfeit 40 *s.* And here also examination and Certificate shall be made by a Justice of Peace, as aforesaid.

LII. Before the Sheriff issue forth any Estreats out of the County-Court, two Justices of Peace (1. *Qu.*) shall view them, and there being two parts of them indented and sealed by the said Justices and Sheriff, one of them shall remain with the Justices, and the other with the Sheriff; and here the Officer that collects them shall make oath before the said Justices, to levy no more then what is contained in them, in pain of [illegible] *s.* who may be convict of that offence by the examination of one Justice of Peace, as aforesaid.

LIII. The Justices of Peace, which are to have the controlment of the Sheriff and his Estreats, shall be named at *Michaelmas* Sessions by the *Custos Rotulorum*, or (in his absence, by the eldest of the *Quorum*. And the said Justices of Peace, upon information of the party grieved, may make out like process against the offenders, as in Actions of Trespass.

LIV. **Stat.** 6. H. 8. 18. The Under-Sheriff and all other Officers of Sheriffs, may continue, and execute their Offices within the County of the Town of *Bristol*, from year to year, in such sort as the like do in *London*, without any forfeiture, notwithstanding the Statutes of 42 E. 3. 9. and 23 H. 6. 8.

LV. **Stat.** 35 H. 8. 16. Every Sheriff, (his Under-Sheriff or Deputy) shall at his day of prefixion in the Exchequer, immediately after he is sworn to accompt, make also oath to deliver into that Court, *Schedules* conteining the particular sums of money,

which he hath levied, or might have levied (and as near as may be, what perſons or lands ought to be charged therewith) and after ſuch *Schedules* delivered, caſt, and rated, that Court ſhall have power to make him allowance of ſo much money, as the Farms wherewith he is charged amount to, more then the ſaid particulars: And for ſuch parcels as they ſo amount to more, the Court ſhall iſſue out proceſs for the recovery thereof for the Kings uſe.

LVI. Concerning ſums reſpected to the Sheriffs upon their Petitions, they ſhall from henceforth (upon their oaths) be diſcharged thereof, and proceſs ſhall iſſue out againſt the Debtors.

LVII. Sheriffs (upon their accompts) ſhall have allowance for executing the Kings Writs and Summons, levying of Eſtreats coming to the Exchequer to make the profers and view of their accompts, and for expences at the Aſſizes, Goal-deliveries, *Oyers* and *Terminers*, and the like; ſo as the totall to all ſuch allowances to all Sheriffs, exceed not 342 *l.* 6 *s.* 8 *d.*

LVIII. **Stat.** 2, 3. E. 6. 4. The ſaid Act of 34 H. 8. 16. ſhall be clearly void to all intents and purpoſes, other then ſuch as are hereafter in this Act ſpecified.

LIX. All Sheriffs ſhall have ſuch Tallyes of reward and other allowances, as they had before the making of the Statute of 34 H. 8. 16. or alſo to be at their Election to accompt, and all other things to do according to the ſaid former Act: And every Sheriff that ſo ſhall accompt, and take no Tally of reward, ſhall be intreated in the Exchequer in all things, as if the ſaid former Act were in force.

LX. Tallyes of reward (without any warrant) ſhall be ſtriken, as they were before the making of the ſaid Act, and ſhall be delivered to the Sheriff or his Atturney, without any further charge.

LXI. Sheriffs of Counties where no Tallyes of reward have uſed to be ſtriken, ſhall be allowed their expences upon Petition, with a Bill thereof thereunto annexed, being verified by the oath of the Sheriff, his Under-ſheriff, or Atturney.

LXII. Sheriffs, who take no Tallyes of reward, ſhall be diſcharged (upon their accompts) of all ſuch Farms, goods, chattels, profits, caſualties, and ſums of money, as they cannot levy or come by: And all other Sheriffs, who take Tallyes of reward, ſhall alſo be diſcharged of all ſuch profits and ſums, as aforeſaid, except alſo of Vicountiels, wherewith they ſhall be chargeable, as they were before the making of the ſaid former Act.

LXIII. Sheriffs alſo ſhall have allowance (in their accompts) of all ſuch ſums of mony, as they ſhall make true Petition of, for ſuch poſſeſſions as are come to the Kings hands, by unity of poſſeſſion or other-

otherwiſe, out of which any part of ſuch Vicontiels were leviable.

LXIV. Provided, that every Sheriff (his Under-ſheriff or Deputy, ſhall at his day of prefixion in the Exchequer, immediately after he is ſworn to accompt, make alſo oath to deliver into that Court, *Schedules* containing the particular ſums of money, which he hath levied, or might have levied, and (as near as may be) what perſons or lands ought to be charged therewith: And after ſuch *Schedules* delivered, caſt and rated, that Court hath power to make him allowance of ſo much money, as his charges amount to more then the ſaid particulars: And for ſuch parcels as they ſo amount to, the Court ſhall iſſue out proceſs, or take ſome other fit courſe for the recovery thereof to the Kings uſe. And if they imploy any Commiſſioners to enquire after the ſame, they ſhall allow them their reaſonable coſts and charges at their diſcretions.

LXV. **Stat.** 3. E. 6. 34. Sheriffs of *Northumberland* ſhall enter into Recognizance to be accomptable for their office, as other Sheriffs do, in pain of 100 *l.* Howbeit, they ſhall not be chargeable but onely for their own year.

LXVI. **Stat.** 1. *M. Par.* 1. *Seſs.* 2. *Cap.* 8. No Sheriff ſhall be Juſtice of Peace during his Shrievalty, notwithſtanding the Statute of 1 E. 6. 7. (*which ſee in diſcontinuance of Proceſs*) and all acts then done by him, as Juſtice of Peace ſhall be void.

LXVII. **Stat.** 8. *El.* 16. Whereas there hath been heretofore but one Sheriff choſen for each two of the Counties of *Surrey* and *Suſſex*, *Eſſex* and *Hertfort*, *Somerſet* and *Dorſet*, *Warwick*, and *Leiceſter*, *Nottingham* and *Derby*, *Oxon* and *Berks*, hereafter there ſhall be one Sheriff choſen for each of the ſaid Counties, who ſhall be accomptable and uſed in the order of his accompt, and all other things and allowances in the Exchequer, and in all other Courts and places, as is uſed for Sheriffs in like places; And the profers of the ſaid Counties ſhall be forthwith ſevered by this ſaid Court, and the Officer thereof; And alſo the Tallyes of reward divided accordingly.

LXVIII. The Barons of the Exchequer calling to them the Officers of the Treaſurers remembrance, ſhall order the ſpeedy payment of ſuch Creation-money, fees, annuities, and other ſums of money, as ought to be paid by the ſaid Sheriffs.

LXIX. Provided, that the ſaid Sheriffs ſhall pay for fees but the one half of what was formerly paid by them, when they were Sheriffs of two Counties.

LXX. Stat. 13. El. 22. The Statute of 8. El. 16. is made perpetual, except for the Counties of *Surrey* and *Sussex*.

LXXI. Stat. 27. El. 7. No Sheriff, Coroner, or other person, having return of Writs, shall return any Juror dwelling out of a Liberty without the true addition of the place of his abode at the time of such return, or within a year before, or some other addition, by which the party returned may be known, nor any Juror within a Liberty, with other addition then shall be given him by the Bailiff thereof, and his Deputy under his or their hand.

LXXII. No Bailiff of a Liberty or his Deputy, shall return any Juror, or deliver to the Sheriff or his Deputy, the names of any to be returned upon any Pannel or Jurie without their true addition under his or their hand, of their abode, at the time of such return, and within one year before or some other addition, whereby the party may be known: Neither shall any issues go forth against any person otherwise returned in the Original Pannel or *Tales*.

LXXIII. No Sheriff, Bailiff, or other, shall [illegible]ie any Issues so estreated of any other person, then of such as by the estreat ought of right to be charged therewith, in pain that every Clerk who shall write or deliver, or procure such estreat to be delivered or put in ure, and every other person offending, contrary to the meaning of this Act, shall forfeit 5 Marks to the Queen, and as much to the party grieved, to be recovered by Action of debt, &c.

LXXIV. Justices of *Oyer* and *Terminer*, Assize and Peace, have power to hear and determine the offences aforesaid, and to issue forth Process for the levying of the said forfeitures.

LXXV. Stat. 27. El. 12. Every Under-Sheriff, before he intermeddles with his Office, shall before one of the Justices of Assize, or the *Custos Rotulorum* of the County, or two Justices of the Peace there (1. Qu.) take the oath of Supremacy (*which see in Crown*) and also the Oath hereafter written, in pain to forfeit treble damages to the party grieved, if he commit any Act contrary to the said Oaths, or either of them.

LXXVI. The Form of the other Oath is as followeth:

LXXVII. J. A. B. *shall not use, nor exercise the Office of Under-Sheriff corruptly, during the time that I shall remain thereof, neither shall or will, accept, receive, or take by any colour, means, or device whatsoever, or consent to the taking of any manner of fee or reward, of any person or persons for the empannelling, or return of any Enquest, Jury or Tales, in any Court of Record for the King, or betwixt party and party above two shillings, or the value thereof, and such fees as are allowed and appointed for the same, by the Laws and Statutes of this Realm: But will accor-*

ding

sing to my power, truly and indifferently with convenient speed, impannel all Jurors, and return all such Writ or Writs touching the same, as shall appertain to be done by my duty or office, during the time that I shall remain in the said Office. So help me God.

LXXVIII. No Bailiff of Franchise, Deputy or Clerk of a Sheriff or Under-Sheriff, shall intermeddle with their several Offices, before they have taken the said Oaths, as aforesaid, (altering onely the termes of the Office, in pain to forfeit 40 *l.* to be divided betwixt the King and the prosecutor.

LXXIX. Justices of Assize, and Justices of Peace in Sessions, have power to hear and determine the defaults and offences aforesaid, and upon conviction to award process accordingly.

LXXX. **Stat.** 29. *El.* 4. No Sheriff, Under-Sheriff, Bailiff of a Liberty, or any of their Deputies, shall either directly or indirectly, take more for serving an Extent or Execution, then after 12 *d.* for every pound under 100 *l.* and 6 *d.* for every pound above 100 *l.* in pain to forfeit treble damages to the party grieved; and besides 40 *l.* betwixt the Queen and the prosecutor.

LXXXI. This Act shall not extend to fees of Executions within Cities or Corporations.

LXXXII. **Stat.** 43. *El.* 6. If any Sheriff, or other, taking upon him to break Writs, do make any warrant for summons, or upon any Writ, Process or suit, or for any arrest or attachment of body or goods, against any person, to appear in any of the Queens Courts, (not having the Original Writ or Process warranting the same) upon complaint thereof to the Justices of Assize of the County where the offence was committed, or the Judges of the Court, out of which the Process issued, the party so offending, and all procurers thereof shall be sent for before the same Justices or Judges by attachments or otherwise, and shall be examined upon their oaths concerning the same.

LXXXIII. If the offence shall be confessed, or proved by sufficient Witnesses, the said Justices or Judges, shall forthwith commit the offender to the Goal of the County or Court where he shall be examined, from whence he shall not be enlarged until he have paid the party grieved 10 *l.* and all his Costs and Damages, to be assessed by the same Justices or Judges, and likewise 20 *l* to the Queen.

LXXXIV. **Stat.** 21. *Iac.* 5. A *Quietus est* shall be a sufficient discharge for a Sheriff, unless he be questioned within four years after the grant thereof.

Every

LXXXV. Every Officer or Miniſter, that ſhall ſend out, or cauſe to be ſent out, any Writ or Proceſs, or by whoſe default any Writ or Proceſs ſhall be ſent out contrary to this Act, ſhall for every ſuch offence forfeit and pay to the party grieved, 40 *l.* and his coſts and damages, to be recovered by Action of debt, *&c.*

LXXXVI. **Stat.** 14. *Ca.* 2. *Ca.* 21. The unneceſſary charges, and tedious attendance in paſſing the accompts of Sheriffs, being very burthenſome, it is Enacted, that Sheriffs ſhall not keep Tables for receipt of any other then their own Family or Retinue, nor ſhall ſend any Preſents, to any Judge of Aſſize, nor give any gratuity to any Officer, nor have more then 40 Men-ſervants, nor under 20 in any County in *England*, nor under 12 in *Wales*, upon forfeiture of 200 *l.* for every default. Proviſo, this clauſe not to extend to the Sheriffs of Middleſex and *London*, nor *Weſtmerland*, nor any Sheriff of a City and County, or Town and County.

LXXXVII. Sheriffs within *England* ſhall not be charged to anſwer any illeviable ſeiſure, Farm, Rent, Debt, or other thing whatſoever, which was not writ in proceſs to them to be levyed, and the perſons, Lands and Tenements, of which the ſame is levyable, particularly expreſſed, but ſhall be diſcharged without Petition, Plea, or other trouble, or charge whatſoever.

LXXXVIII. All ſeiſures made before 1 *Jac.* R. 1. and yet remaining upon the Sheriffs accompts, and all ſeizures and debts, pardoned, are diſcharged, and to be left out of their Accompts; and no proceſs to iſſue for levying the ſame, nor any other Rent or Farm, not particularly ſet forth, or which hath been unanſwered for 40 years paſt: And all other dead Farms and ſeiſures, and all deſperate, illeviable and unintelligible debts ſhall be removed out of the annual Roll and Sheriffs charge into the exannual Roll, there to remain until revived and made anſwerable by Commiſſion.

LXXXIX. The ſeveral remembrancers ſhall enrolle and certifie the Ingroſer of the great Roll, all debts chargeable upon Sheriff, by their Returns into the Exchequer, upon Writs of *fieri fac. levari fac: Capias*, and other proceſs, and all Fines and Amercements upon Sheriffs already ſet before the firſt of *Febr.* 1662. And all Debts, Fines and Amercements hereafter ſet before the firſt day of the next Terme, after return of ſuch Fines and Amercements ſet, that ſo they may be charged and comprehended within the *Quietus eſt*, upon pain of 40 *l.* upon the Officer for every default, the one moyety to the King, the other to the party grieved.

And none ſhall be Sheriff, except he have Lands in the ſame County, ſufficient to anſwer the King and his people.

Every

LXXXX. Every Sheriff having obtained a *Quietus eſt*, (as by the Act 21. *Iac.* Ca. 5. he might) the Sheriff, his Heirs, Executors, Land and Tenements, ſhall be clearly diſcharged of all accompts and debts whatſoever, unleſs he be proſecuted, and Judgement given within 4 years after the ſame, and every Officer, by whoſe default any proceſs ſhall be ſent contrary to this Act, ſhall incur the ſame penalty as aforeſaid.

Provided, this Act not to extend to the Counties of *Cheſter*, *Lancaſter*, *Durham*, or the Counties of *Wales*, being Counties Palatines, as to the manner of their accompting, who are to accompt before the reſpective Auditors, as formerly.

2. Not to extend to enjoyn the Remembrancers to tranſcribe to the Engroſer of the great Roll, any Inquiſitions, or ſeiſures, but ſuch as have been formerly charged in the forraign accompts of Sheriffs, But Inquiſitions upon attainders, and other forfeitures, to be put in charge as formerly.

3. Not to exclude his Majeſties Remembrancer, from writing forth proceſs for his Majeſties Debts, Duties, Outlawries, or other charge, or proceſs of *levari fac.* at any perſons ſuit, to levy Iſſues of Lands ſeiſed, or *venditioni exponas*, for goods for any debt to the King, or upon Outlary, or to alter any pleading touching the ſame.

4. That no Debt, Duty, Fine, Amercement, or ſeiſure charged in the great Roll of the Pipe, by any Record in the Office of the Kings Remembrancer, nor any proceeding thereupon, be ſtayed compounded, or diſcharged, but by order or Judgment entred in the ſaid Office of the Kings Remembrancer, where the original of ſuch debt or charge remaineth.

5. If any the debts, ſeiſures, fines, or other be not levyed or payd upon proceſs of ſummons of the Pipe, the Clerk of the Pipe ſhall the next Terme after return of ſuch proceſs, certifie the Office of the Kings Remembrancer, who ſhall iſſue proceſs for levying the ſame.

6. Antient and lawful fees belonging to the Office of the Kings Remembrancer, not abridged by this Act.

The Act to continue to the end of the firſt Seſſion of the next Parliament, and no longer.

Ships.

I. **Stat.** 38 *E.* 3. 8. No owner of a Ship, ſhall forfeit the ſame for any ſmall thing put thereinto (without his knowledg) not cuſtomed for.

II. **Stat.** 5 *R.* 2. 3. None of the Kings Subjects ſhall export or import any Merchandize, but only in Ships of the Kings allegiance, in pain to forfeit all Merchandiſe otherwiſe conveyed, or the value thereof, whereof the finder ſhall have a third part of the Kings gift.

III. **Stat.** 6 *R.* 2. 8. The Statute of 5 *R.* 2. 3. ſhall onely have place, where able and ſufficient Ships of the Kings allegiance may be found, otherwiſe the Merchants may hire other Ships, the ſaid Statute notwithſtanding.

IV. **Stat.** 14 *R.* 2. 6. *Engliſh* Merchants ſhall fraight (within the Realm) in *Engliſh* Ships, and not in ſhips of ſtrangers, ſo as the owners of ſuch *Engliſh* ſhips take reaſonably for their fraights.

V. **Stat.** 4 *H.* 4. 20. *Pars ind.* All Merchandize imported and exported, ſhall be charged and diſcharged in great Sea-Ports; and not in creeks and ſmall arrivalls, in pain to forfeit to the King all Merchandize otherwiſe charged or diſcharged, except any Veſſell ſhall be driven into ſuch ſmall Creek by tempeſt.

VI. **Stat.** 15 *H.* 6. 8. None ſhall ſhip any Wooll, woolfels, or other Merchandize pertaining to the Staple, but only at the Keys and Ports, aſſigned by the Statute where the Kings Weights and Woolls are ſet.

VII. Every Maſter of a Veſſel, wherein ſuch Merchandize is ſhipped, ſhall give good ſecurity to the Cuſtomers there, to tranſport the ſame to the Staple at *Calais*, and to bring a certificate thereof from thence, ſaving to all Merchants of *Jean*, *Venice*, *Tuſcany*, *Lombardy*, *Florence*, and *Catalonia*, and to the Burgeſſes of *Barwick*, their liberty formerly granted by Statute.

VIII. **Stat.** 4 *H.* 7. 10. No *Gaſcoign* or *Guien*-wine, or *Tholouſe*-woad, ſhall be imported into this Realm, but in *Engliſh*-veſſels, in pain to forfeit the ſame.

IX. None ſhall fraight in any ſtrangers ſhip, any Merchandize, to be imported or exported into, or out of this Realm, if he may have ſufficient fraight in the ſame Port in a Denizers ſhip, in pain to forfeit all Merchandize otherwiſe ſhipped, to be divided betwixt the King and the ſeiſor.

This

X. This Act ſhall not extend to any ſhip (having Merchandize) forced by tempeſt into any part within this Realm, ſo as the owner thereof make no ſale of ſuch Merchandize within this Realm, ſave only for neceſſary victual, or repairing of the ſhip and tackle.

XI. **Stat.** 32 *H.*8.14. *Gaſcoigne* or *Guian* Wines, or *Tholouſe*-Woad may be imported into this Realm, in any other ſhips, as well as *Engliſh*, notwithſtanding the Statute of 4 *H.*7.10.

XII. **Stat.** 1 *El.*13. The Statute of 5 *R.* 2.3. and 4 *H.*7. 10. are made void.

XIII. If any owner of any Merchandize ſhall (in time of Peace) embarque or unload any part thereof (Maſtraff, Pitch, Tar, and Corn only excepted) out of, or into any other then an *Engliſh* bottom, he ſhall pay cuſtome for the Queen for the ſame, as an alien.

XIV. No *Engliſh* man ſhall croſs the Sea with any Hoys or Plats, in pain to forfeit the ſame, to be divided betwixt the King and the proſecutor.

XV. Provided, that Merchants at their ſeveral ſhippings of cloth or wooll out of the *Thames* (to be twice in the year at the moſt) may imbarque Merchandize in a ſtrangers ſhip, ſo long as there are not *Engliſh* ſhips enough, and convenient to convey ſuch Merchandize to *Flanders*, *Holland*, *Zealand*, or *Brabant*, without paying any greater cuſtome, than *Engliſh* men uſe to do: Alſo *Briſtoll* men ſhall do the like, by reaſon of greater loſſes lately ſuffered by them.

XVI. **Stat.** 5 *El.*5. Any Subject may export out of this Realm without paying cuſtome for the ſame: *But this Act was expired by the Queens death.*

XVII. None ſhall ſet price, make reſtraint, or demand toll of any Sea-fiſh imported into this Realm by any of the Queens Subjects, in pain to forfeit the value of ſuch fiſh ſo ſet price of, reſtrained or tolled.

XVIII. This Act ſhall not reſtrain the Inhabitants of *Hull* to take Toll and Cuſtome, according as is limited by the Statute of 33 *H.*8. 33. (*which ſee in Hull* 1. Howbeit, they ſhall not take liberty thereby to tranſport Herring or ſalt-fiſh.

XIX. No Purveyor ſhall take any Sea-fiſh of any that ſhall take the ſame in any Subjects ſhip, in pain to forfeit the double value thereof: Howbeit, Compoſition fiſh (of people travelling into *Ireland*) due to the Queen and other perſons, ſhall be paid as formerly.

XX. No Herring ſhall be bought of a ſtranger, or out of his bottome, being not ſufficiently ſalted, pickled, and casked, in pain to forfeit

forfeit the ſame, or the value thereof; except ſuch Veſſell be driven in by ſhipwrack.

XXI. No fiſh, victual, wares, or things ſhall be tranſported in a ſtrangers bottom, from one Port to another within this Realm, in pain to forfeit the ſame, or the value thereof.

XXII. Hoys and Plats may croſs the Seas, as far as *Cane* in *Normandy*, or Eaſtward, as far as *Norway*, notwithſtanding the Statute of 1 *El.* 13.

XXIII. All Cod and Ling ſhall be brought into this Realm, looſe, and not in barrel, in pain to forfeit the ſame, or the value thereof.

XXIV. No Wine of the growth of *France*, or any Woad of *Tholouſe*, ſhall be imported into this Realm in any other veſſell then *Engliſh*, in pain to forfeit the ſame, according to the Statute of 4 *H.* 7. 10. Only into *Wales*, *Rochel* Wines may be otherwiſe imported.

XXV. Owners of Ships, and all others uſing the trade of the Sea-fiſhing or otherwiſe, and every Gunner and Ship-wright may take Apprentices, to be bound for ten years, or under, by Indenture, to be inrolled in the ſame Corporation, if the Maſter dwell in [illegible]; but if not, in the next.

XXVI. So much of the Statutes of 5, 6. *E.* 6. 14. (*which ſee in Foreſtallers*) and of all other Statutes, as concerns the buying of Sea-fiſh unſalted, or mud-fiſh, or any wine, oil, or ſalt, to be brought in an *Engliſh* veſſell to any Port within this Realm, ſhall be void.

XXVII. None ſhall eat fleſh upon dayes uſually obſerved as fiſh dayes, in pain of 3 *l.* or three mon hs impriſonment without bail. And they that wittingly ſuffer any ſuch offence to be done in their houſe, and do not diſcover it to an Officer, that may puniſh it, ſhall forfeit 40 s.

XXVIII. Theſe forfeitures ſhall be divided into three parts, whereof the Queen ſhall have one, the poor of the Pariſh another, and the informer the third.

XXIX. Notwithſtanding this Act, licenſes may be granted upon juſt cauſes, on theſe conditions following, *v z.* To a Peer or his Lady, if he pay yearly for it to the poor of the Pariſh where he dwells, 26 *s.* 8 *d.* To a Knight or his Lady, if he pay 13 *s.* 4 *d.* and to any other inferiour perſon, if he pay 6 *s.* 8 *d.* But here no licenſe ſhall extend to the eating of Beef at any time, or to the eating of Veal betwixt *Michaelmas* and *May-day*.

XXX. The Miniſter of the Pariſh may grant a licenſe to a ſick perſon, during the time of his ſickneſs, and if the ſickneſs continue above

above eight dayes, he ſhall in the preſence of one of the Churchwardens, regiſter the ſame, and have 4 *d.* for the regiſtring of it: But here, if he grant the licenſe without juſt cauſe, he ſhall forfeit 5. Marks.

XXXI. Wines ſhall be ſold (by retail) at ſuch prizes, as ſhall be limited by the Queens Proclamation, with the aſſent of ſuch Lords and others, as by the Statute of 18 H. 8. 14. (*which ſee in* Wines) are authorized to ſet price on Wines in groſs.

XXXII. The Statute of 28 H. 6. 19. (*which ſee in* Captains) ordained againſt ſouldiers, ſhall extend to Mariners and Gunners.

XXXIII. Theſe offences ſhall be heard and determined, as followeth, *viz.* being committed upon the main Sea, without the limits of the Cinque Ports, by the Lord Admiral, his Lievtenant, or Deputies, or by Juſtices of *Oyer* and *Terminer*, according to the Statute of 28 H. 8. 15. (*which ſee in* Tryal) but if without any Port, and yet within the Juriſdiction of any of the Cinque Ports, then by the Lord Warden of the Cinque Ports, or his ſubſtitute, or by Juſtices of *Oyer* and *Terminer*, according to the Statute of 28 H. 8. Or if in a Port, or elſwhere, upon the main land, then the Juſtices of Peace, or other chief Officers in Seſſions, within their ſeveral Juriſdictions: And here the tryal may be by the oaths of twelve men, or otherwiſe by information; And for levying the ſaid forfeitures, the ſaid Officers and Juſtices may iſſue out Proceſs at their diſcretion.

XXXIV. The time limited for the proſecution of this Action is, for a Subject ſix months, and for the Queen a whole year.

XXXV. Every ſuch perſon licenſed to eat fleſh, as aforeſaid, (except for ſickneſs, age, or other impediment) ſhall have at his Table, for every diſh of fleſh, one diſh of fiſh, upon like pain, as for eating fleſh upon Fiſhdayes.

XXXVI. If any ſhall by Preaching or otherwiſe, avouch, or notify that any eating of fleſh, or forbearing of fleſh, is neceſſary for the ſaving of the ſoul, or the ſervice of God, otherwiſe then as other politick Laws be, ſhall be puniſhed as a ſpreader of falſe news; *which ſee in* News.

XXXVII. Fiſhermen or Mariners, ſhall not be compellable to ſerve as ſouldiers, otherwiſe then as Mariners, unleſs for ſome ſpecial exploit, or to withſtand an Invaſion, or ſubdue a Rebellion, or bound ſo to do by tenure, cuſtome, or covenant.

XXXVIII. The Liberties and Rights of others are ſaved.

XXXIX. Provided, that no Fiſhermen uſing the Sea, ſhall be taken by the Queens Commiſſion to ſerve as a Mariner at Sea, unleſs

leſs the ſaid Commiſſion be firſt brought by the Queens Taker to the two next Juſtices of Peace, to the end they may chooſe and return ſuch ſufficient number of able men, as in the ſame Commiſſion ſhall be contained.

XL. The Liberties of the *Cinque* Ports, and great *Yarmouth* are ſaved, other then for buying of ſtrangers, and taking of toll, as the ſame are before prohibited.

XLI. This Act ſhall not prejudice the authority or juriſdiction of the Lord Warden of the *Cinque* Ports.

XLII. Wine may be imported into the Iſle of *Man* and *Chepſtow* in ſtrangers bottoms, not exceeding an hundred Tunn in one year in each of them, notwithſtanding this Act. The like may alſo be done in all other Ports of *Wales* (beſides the *Rochel*-Wines before permitted) ſo as the quantity exceed not an hundred Tun in one year, as before.

XLIII. The Queens duties for the three hundred Tun (mentioned in the laſt clauſe) are ſaved.

XLIV. The Lord Admiral, or his ſubſtitutes, ſhall have no greater authority then they had before this Act, ſave only for puniſhment of offences, as aforeſaid.

XLV. **Stat.** 8 El. 3. None ſhall tranſport Sheep beyond Sea, in pain to forfeit all his goods, to ſuffer one years impriſonment, and to have his hand cut off in ſome open Market; and for the ſecond offence, to ſuffer death as a Felon.

XLVI. This Act ſhall not extend to corruption of bloud, or forfeiture of Dower.

XLVII. Juſtices of Goal-delivery and of Peace, have power to hear and determine this offence.

XLVIII. The aforeſaid goods forfeited, ſhall be divided betwixt the Queen and the Proſecutor.

XLIX. **Stat.** 13 El. 11. So much of the Statute of 5 El. 5. as concerns the tranſporting of *Herring* and Sea-fiſh by the Subjects born, and for not paying of Cuſtome for the ſame, ſhall be revived, ſo as it be in veſſels with croſs ſails.

L. No veſſel (called Catch, Mongers, or Picard) ſhall upon the coaſts of *Norfolk* and *Suffolk*, between the 14 of *September*, and the 14 of *November*, from Sun-ſetting, to Sun-riſing, anchor upon the Main Sea, or in the trade of fiſhing, in pain to forfeit their veſſel, or the value thereof, to be divided betwixt the Queen and the Corporation of Great *Yarmouth*, to be imployed towards the damages of the party grieved, and the repairing of the Haven there, and to be recovered by ſeiſure, or otherwiſe by Bill, Action, &c.

A

LI. A bartel of 31 Gallons of Wine-meaſure (being about 28 Gallons by the old ſtandard) which will contain uſually 1000 full Herrings at leaſt, ſhall be taken for the Aſſize of Herring-barrels.

LII. No forreign Fiſh ſhall be dryed in *England* to be ſold, in pain to forfeit the ſame, or the value thereof, to the ſeiſor and proſecutor.

LIII. **Stat.** 13 El. 15. So much of the Statute of 5 El. 5. as permits croſſing the Seas with Hoyes and Plats, is repealed, and the Statutes of 1 El. 13. that prohibits them, is revived.

LIV. **Stat.** 35 El. 7. The aboveſaid penalty of 3 *l.* (limited by the Statute of 5 El. 5. is mitigated to 20 s. and that of 40 s. to 13 s. 4 d.

LV. **Stat.** 39 El. 10. The Queens Subjects (being owners of Ships with croſs-ſails) may take into their Ships, any Fiſh, which any Alien ſhall buy of any Subject, and may tranſport the ſame beyond Sea in their ſaid Ships, ſo as ſuch aliens pay the cuſtome due for the ſame.

LVI. All Aliens ſhall pay like cuſtome for Salt Fiſh, and Herrings by them imported into this Realm, as a Subject of *England* pays there, from whence the ſaid Fiſh or Herrings were brought, beſides the Queens ordinary cuſtome.

LVII. None ſhall offer to ſell any unwholſome Fiſh (being warned thereof by the Officer) in pain to forfeit the ſame: And being an Alien, he ſhall forthwith export it, upon the like pain.

LVIII. **Stat.** 34 El. 9. No Ordinance made by the Fiſhmongers in *London*, or any other Corporation reſtraining any Coaſt-man, Fiſherman, or other, from taking, bringing in, putting to ſale, or buying of ſalt-fiſh, or Herrings (being wholſome) ſhall be put in execution, in pain of 100 l.

LIX. **Stat.** 1 Jac. 24. None ſhall make, or cauſe to be made any cloth for Ship-ſails (called Mildernix, and Powl-davi) but ſuch as now uſe the ſame Trade, or ſhall be hereafter trained therein by the ſpace of ſeven years together, in pain to forfeit 20 s. a month.

LX. The ſaid Clothes ſhall be made of good Hemp, and 33 yards long, and 3 quarters of a yard broad; And they ſhall not be put to ſale before the ſtuff thereof be well beaten, ſcoured and breached, and the Cloth well driven with a brazen or iron ſhuttle, in pain to forfeit for every cloth otherwiſe made, 5 s.

LXI. The forfeitures aforeſaid ſhall be divided betwixt the King and the proſecutor.

LXII. **Stat.** 12 Car. 2. cap. 14. The late proceedings touching

ſing and levying an Impoſition called Ship-money, declared and adjudged unlawful, and all Records and Proceſs, Judgments, and Proceedings, and enrolments thereof cancelled, and made void.

LXIII. **Stat.** 12 Car. 2. cap. 18. No goods ſhall be imported or exported out of any the Kings Iſlands, Plantations, or Territories of *Aſia*, *Africa*, or *America*, but in veſſels belonging to the people of *England*, *Ireland*, *Wales*, or Town of *Berwick* upon *Tweed*, or are of them built, or belonging to the ſaid Lands or Plantations, as owners thereof, and whereof the Maſter and three fourths of the Marriners at leaſt, are *Engliſh*; upon pain of forfeiture of all the goods and Merchandize imported or exported out of the ſaid places, and the ſhip or veſſel, and all the Ammunition and Furniture thereof; one third part to the King, one third part to the Governour of ſuch Iſland or place where the fault ſhall be committed, if ſeiſed by him, and if not, then the ſaid third part to the King, and the other third part to him that will ſeize, inform, or ſue for the ſame in any Court of Record. And all Admiralls and Commanders at Sea are required to ſeize the ſame as Prize-goods, and proſecute them to condemnation in the Admiralty, one moyety to the uſe of the ſaid Commanders and their Companies, according to the Rules of Prizes at Sea; and the other moyety to the King.

LXIV. Aliens ſhall not exerciſe the occupation of Merchants or Factors in any the ſaid places, upon pain of forfeiture of all the goods and chattels which be his, or in his poſſeſſion. And all Governours of Plantations, before they enter upon their Offices, to take an Oath, to endeavour the obſervance of the ſaid Clauſes: and upon complaint, and proof before the King, of any wilfull negligence, to be removed from their Governments.

LXV. No goods or commodities whatſoever of the growth, production, or manufacture of *Africa*, *Aſia*, or *America*, or any part thereof, as they are deſcribed in Maps of thoſe places, ſhall be imported into *England*, *Ireland*, or *Wales*, Iſlands of *Guernſey* or *Jerſey*, or Town of *Berwick* upon *Tweed*, but in *Engliſh* ſhips in manner aforeſaid; upon penalty of forfeiture of the ſhips, veſſels, goods, and furniture thereof, one moyety to the King, the other moyety to him that will ſue for the ſame in any Court of Record.

LXVI. No Goods and Merchandize of forreign growth, production, or manufacture, ſhall be brought into *England*, *Ireland*, *Wales*, *Guernſey*, or *Jerſey* Iſlands, in *Engliſh* ſhips, but only from the places of their growth, production, or manufacture, or the Ports where they have been firſt uſually ſhipped for tranſportation, upon pain of forfeiture of the ſhip, or veſſels, goods and furniture thereof, one moyety

moyety to the King, the other to the informer, or seiser thereof.

LXVII. All Lings, Stock-fish, &c. Oyl, &c. Whale-fins, &c. Imported, not caught in vessels of the Owners thereof, shall pay double Aliens Customs.

LXVIII. No goods to be laded or carryed from any Port of *England*, *Ireland*, *Wales*, Islands of *Guernsey*, or *Jersey*, or *Berwick*, to another, in the vessel of any Alien, not denizoned, upon forfeiture of the vessels, goods, and tacklings, one moyety to the King, the other moyety to him that shall inform, seize, or sue for the same in any Court of Record.

LXIX. Eases and abatements in the book of rates, to extend only where three fourth parts of the Marriners be *English*, during the whole Voyage.

LXX. Goods of the growth or manufacture of *Muscovy* or *Russia*, nor no sorts of Masts, tymber, boards, &c. shall be imported but in such vessels as belong to the people thereof, or some of them, as true owners thereof, whereof the Master, and three fourths of the Marriners *English*; nor no goods of the *Ottoman* or *Turkish* Emperours dominions imported, but only in Vessels of that Countrey, of which the said goods are of the growth or manufacture, or where such goods can be only, or are most usually shipped for transportation, and whereof the Master, and three fourths of the Marriners are of the said Countrey, upon pain of forfeiture as aforesaid.

LXXI. For preventing frauds in concealing Aliens goods, all Wines of the growth of *France*, or *Germany*, imported into any the Ports or places of *England* and *Ireland*, *Wales* and *Berwick*, in any other Ship or Vessel, than belonging to the places of *France*, &c. and manned as aforesaid, shall be adjudged aliens goods, and pay Customs and Duty to the Town or Port where they shall be imported. And all Masts, Timber-boards, &c. of the growth of *Spain*, *Canary* Islands, *Portugal*, *Madera*, *Western* Islands, *Muscovy* or *Russia*, imported in any other Ships, than of the said places; And all *Turky* Commodities, otherwise imported than as aforesaid, shall pay Customes as Aliens goods.

LXXII. Officers of the Custome may not allow any the Priviledges aforesaid to foreign built ships, nor *English* built ships for forein goods, without certificate and proof by oath taken before them, and examination whether the Master and 3 fourths of the Mariners be *English*, or of the Countrey from whence the goods come, upon pain to forfeit their places.

LXXIII. Proviso, to exempt coming from the *Straights* or *Levant*,

van', though not of the very growth of the ſaid places.

LXXIII. Proviſo, Not to reſtrain the importing any *Eaſt-India* Commodities in *Engliſh*-built ſhipping, manned with Mariners as aforeſaid, from uſual places in thoſe Seas, to the *Southward*, though not of the ſaid growth.

LXXIV. Proviſo, That the People of *England*, *Ireland*, *Wales*, *Guernſey* and *Jerſey* Iſlands, and *Berwick*, may bring (in *Engliſh* Ships manned as aforeſaid) from any Ports of *Spain* or *Portugal*, or *Weſtern* Iſlands called *Azores*, or *Madera*, or *Canary* Iſlands, all ſorts of Commodities of their growth, manufacture or Plantations.

LXXV. Proviſo, Not to extend to Bullion or Goods taken by repriſal, by any Ship of *England*, *Ireland*, *Wales*, *Guernſey*, *Jerſey* Iſlands, or *Berwick*, Navigated as aforeſaid, and having Commiſſion from the King.

LXXVI. Proviſo, Not to extend to lay Aliens duties upon Corn and certain other goods of *Scotland* imported in *Scotch* Ships, Navigated by 3 fourths of the Kings Subjects, nor to Seal Oyls of *Ruſſia*.

LXXVII. Proviſo, Impoſing duties upon certain *French* Ships, to continue ſo long as a certain duty of 50 Soulz *per* Tun upon *Engliſh* by the *French* ſhall be payable, and 3 months after, and no longer.

LXXVIII. Sugars, Tobacco, Cotton Wooll, Indico, Ginger, Fuſtick, or other dying Wood, of the production of *America*, *Aſia*, or *Africa*, ſhall not be ſhipt or conveyed from any the ſaid Plantations, but ſuch other as belong to the King, or to *England*, *Ireland*, or *Wales*, and there laid on ſhore, upon pain of forfeiture, one moity to the King, the other moity to the Informer.

LXXIX. Ships of *England*, *Ireland*, or *VVales*, ſailing to any *Engliſh* Plantation in *America*, *Aſia*, or *Africa*, ſhall give ſufficient ſureties, to bring goods there laded into *England*, *Ireland*, *VVales*, or *Berwick* upon *Tweed*: And likewiſe Ships coming from other Plantations, ſhall give the like Sureties, and ſhall bring Certificates to the reſpective Governors of the ſaid Plantations, from the Officers of the Cuſtome-Houſe of *England*, &c. of their having given ſuch Bonds, upon pain of forfeiture of the Ships offending, their Goods, Tacklings, &c. And the ſaid reſpective Governors to return the Bonds ſo taken, twice every year, to the chief Officers of the Cuſtome-Houſe of *London*.

LXXX. Stat. 13 *Car.* 2. *cap.* 9. Articles to be obſerved for the Publique Worſhip of God, puniſhing certain offences, and for the regulating and better governing of the Kings Navies, Ships of War, and Forces by Sea: And impowring the Lord Admiral to grant Commiſſions to call Court-Marſhals.

All

LXXXI. All faults, misdemeanors and disorders committed at Sea, not mentioned in the Act to be punished according to the Laws and Customs in such cases used at Sea.

LXXXII. Proviso, Not to extend to give the Lord Admiral of *England*, or other his Officers, any other Power, Jurisdiction, or Authority, then they ought to have before this Act, other then touching the said offences mentioned in the said Articles, done upon the main Sea, or in Ships or Vessels in the main stream of great Rivers, only beneath the Bridges nigh the Sea, within the Jurisdiction of the Admiralty, and committed only by such persons as be in actual service and pay in the Kings Fleet, or Ships at Sea.

LXXXIII. **Stat.** *16 Car. 2. cap. 7.* An Act to prevent the disturbance of Seamen and others, and to preserve the Stores belonging to his Majesties Navy Royal. *Vid. the Act being but upon continuance for two years, from the First of* June *1664. And from thence to the end of the next Session of Parliament.*

LXXXIV. **Stat.** *16 Car. 2. cap. 8.* An Act to prevent the delivering up of Merchants ships to Pyrats and Sea-Rovers, having sufficient to defend themselves. *Vid. the Act being but upon Continuance for 3 years, and from thence to the end of the next Session of Parliament, and no longer.*

Silk.

* I. **Stat.** *19 H. 7. 21.* None shall bring, or cause to be brought into *England*, any Silk wrought (by it self, or with other stuff) out of *England*, in Riband, Laces, Girdles, Corses, Calles, Corses or Tissues, or Points, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the seisor, or prosecutor: But all other Silk (both wrought and raw) may be imported and sold at pleasure.

II. **Stat.** *14 Car. 2. cap. 15.* An Act incorporating and for regulating, ordering, and managing the Trade and Mystery of Silk-throwing. *See the Act.*

Southampton.

I. **Stat.** *11 H. 7. 5.* Every man may pull down the Wears and Engines in the Haven of *Southampton*, between *Calshord* and *Redbridge*; And whosoever levieth any other there, shall pay 100 *l.* to the King.

II. **Stat.** 14 *H.*8.13. A confirmation of 11 *H.*7.5. and the ſame made perpetual.

III. **Stat.** 4 *Jac.* 10. An Act was made for the confirmation of ſome part of a Charter granted by *H.* 6. to the Mayor, Bailiffs, and Burgeſſes of *Southampton*, and for the relief of the Town. *See the Statute at large.*

Spice.

I. **Stat.** 1. 19 *Jac.* 19. All Spice, Drugs, and other Merchandize Garbleable, ſhall (for the fees uſually allowed) be ſufficiently cleanſed and Garbled, and afterwards ſealed by the Garbler (thereto appointed) or his Deputy, before they be ſold, in pain to forfeit them, or the value thereof: Alſo ſuch as (after Garbling) ſhall be again mixed with Garble, ſhall likewiſe be forfeit.

II. It ſhall be lawful for the ſaid Garbler, to ſearch in Shops, Cellars, Ware-houſes, and other places, for wares ungarbled, and if he find any ſuch, to cauſe them to be Garbled.

III. The forfeitures of this Act, are to be divided betwixt the King and the proſecutor.

IV. Spices, or other Garbleable Merchandize imported, and afterwards within eight months exported without being ſold, or Garbled, ſhall not be within the danger of this Act.

Spiritual Laws.

I. **Stat.** 13 *El.* 12. Every Spiritual perſon (under the degree of a Biſhop) pretending to be a Prieſt or Miniſter of the Word, by any other form of Inſtitution or Conſecration, then that eſtabliſhed by *E.*6. or now uſed, ſhall before *Chriſtmas* next (in the preſence of the Biſhop, or Guardian of the Spiritualties of the Dioceſs where he hath his Benefice) declare his aſſent, and ſubſcribe to the Articles of Religion, (put forth by the Queens Authority) and ſhall bring from ſuch Biſhop (or Guardian) under his ſeal, a Teſtimonial thereof, and publikely (on ſome Sunday at Evening-prayer) where his Benefice is, read the ſaid Teſtimonial and Articles, in pain to be, *ipſo facto*, deprived of all his Spiritual Promotions, as if he were dead.

II. If any Eccleſiaſtical perſon (having a Benefice) ſhall maintain any Doctrine repugnant to the ſaid Articles, and being therefore convented before the Biſhop, Ordinary, or High Commiſſion,

ſhall perſiſt therein, or after revocation thereof, ſhall affirm the ſame again, it ſhall be lawful for ſuch Biſhop, Ordinary, or High Commiſſion to deprive him.

III. None ſhall be admitted to a Benefice with Cure, unleſs he be a Deacon, and of the age of 23 years, and ſhall ſubſcribe the ſaid Articles in the preſence of the Ordinary, and publikely read them in the Church of his Benefice, and declare his aſſent thereunto.

IV. Every perſon hereafter to be admitted to a Benefice with Cure, ſhall within two months after his Induction, publikely read the ſaid Articles in the Church whereof he hath the Cure, in Common-prayer-time, with declaration of his aſſent thereunto, and be admitted to adminiſter the Sacraments within one year after his ſaid Induction, (if he be not admitted before) in pain upon every ſuch default, to be deprived *ipſo facto*.

V. None ſhall be made Miniſter, or admitted to preach, or adminiſter the Sacraments, under the age of 24 years, nor unleſs he firſt bring to the Biſhop (from four known to the Biſhop to be of ſound Religion) a Teſtimonial of his life and Doctrine expreſſed in the ſaid Articles, and be able to render an account of his Faith in Latine, according to the ſaid Articles, or have ſpecial gift or ability to be a Preacher: Neither ſhall any be admitted to be a Deacon or Miniſter, unleſs he firſt ſubſcribe the ſaid Articles.

VI. None ſhall be admitted to a Benefice with Cure af 30 *l. per annum*, in the Queens books, unleſs he be a Batchelor of Divinity, or a Preacher, lawfully allowed by ſome Biſhop, or one of the Univerſities.

VII. All Admiſſions, Inſtitutions, Inductions to Benefices, and all tolerations, diſpenſations, qualifications, and licenſes whatſoever to the contrary hereof, ſhall be void in Law.

VIII. Provided, That no title to confer or preſent by *lapſe*, ſhall accrue upon any deprivation, *ipſo facto* but after ſix months after notice of ſuch deprivation given by the Ordinary to the Patron.

Spiritualty.

I. **Stat.** 4 *H.* 4. 2. *Pars inde*, The Statutes made in the 25 of *E.* 3. touching the Clergy of *England*, ſhall be put in execution.

II. **Stat.** 4 *H.* 4. 3. All Statutes, Ordinances, and Grants made by the Kings Progenitors (Kings of *England*) to the Clergy of *England*, for the converſion of their Liberties, and Privileges, and of the

Liberties and Muniments of Holy Church, (not revoked) ſhall be firmly obſerved and put in due execution.

Stanes.

I. **Stat.** 1 *H.*8.9. An Act concerning the maintaining of the Bridge and Cauſey of *Stanes*, and for the gathering of the toll there, and the Letters Patents made of the toll there, ſhall be void. *See the Statute at large.*

Staple.

I. **Stat.** 2 *E.* 3. 9. All Staples ſhall ceaſe, and all Merchants may come in and go out with their Merchandize at their pleaſure, according to the great Charter.

II. **The Statute of the Staple,** *Cap.*1. 27 *E.* 3. The Staple of *Engliſh* Wool!, Leathers, Woolfels, and Lead ſhall be holden for *England* at *Newcaſtle* upon *Tine*, *York*, *Lincoln*, *Norwich*, *Weſtminſter*, *Canterbury*, *Chicheſter*, *Wincheſter*, *Exceſter*, and *Briſtol*: For *Wales*, at *Carmardin*: And for *Ireland*, at *Dublin*, *Waterford*, *Cork* and *Drogheda*, and not elſewhere.

III. When the ſaid Merchandize is to be exported, they ſhall be firſt brought to the ſaid Staples to be Weighed by the ſtandard; and every ſack and ſarplet of wooll ſo weighed, ſhall be ſealed under the ſeal of the Mayor of the Staple.

IV. The wools ſo weighed and ſealed at *York*, *Lincoln*, *Norwich*, *Weſtminſter*, *Canterbury*, and *Wincheſter*; and alſo Leather, Woolfels, and Lead, which ſhall be brought thither (the cuſtomes of the Staple being paid) ſhall be witneſſed by Bill under the ſeal of the Mayor of the Staple, and ſhall be from thence conveyed to the Ports following, *viz.* from *York* to *Hull*, from *Lincoln* to Saint *Bottolf* (*alias Boſton*) from *Norwich* to great *Yarmouth*, from *Weſtminſter* to *London*, from *Canterbury* to *Sandwich*, and from *Wincheſter* to *Southhampton*: And there the Woolls and Lead ſhall be again weighed by the Cuſtomers aſſigned in the ſame Ports. But the Woolls and Lead brought to *Newcaſtle*, *Chicheſter*, *Exeter*, *Briſtol*, *Carmerdin*, *Dublin*, *Waterford*, *Cork*, and *Drogheda*, ſhall be once weighed by the Standard in thoſe ſeveral Ports in the preſence of the Cuſtomers there.

V. An Indenture ſhall be made at the ſaid Ports betwixt the Mayor of the Staple and the Cuſtomers there of all Wools, Lead, Leather, and Woolfels brought thither; And they alſo ſhall be there cuſtomed and cocketed, and the cuſtom thereof duly paid, which ſhall be for *Denizens*, half a Mark for a ſack of wooll, and as much

for

for 300 woolfels, and a Mark for a laſt of Leather; but for Aliens, 10 s. for a ſack of Wool, 10 s. for a 1000 woolfels; and 20 s. for a laſt of Leather: and 3 *d.* for every Sow of Lead.

VI. The ſaid Merchandize ſhall be tranſported beyond Sea from the ſaid Ports by Merchant-ſtrangers, and not by *Engliſh*, *Welſh*, or *Iriſh*.

VIII. Neither the Mayor nor Cuſtomers ſhall delay any man for gain, nor take any more than appertaineth to their Offices, in pain of impriſonment, and to anſwer the party double of what is ſo taken, together with his damages occaſioned by ſuch taking or delay; and beſides, ſhall be ranſomed at the Kings will.

VIII. The Mayor of the Staple and the Cuſtomers, ſhall take an oath of all Merchants, that ſo tranſport the ſaid Merchandize, that they ſhall hold no Staple thereof beyond Sea.

IX. **Statutum Stapul.** *cap.* 4. None going to, or coming from the Staple, ſhall be diſturbed by the Purveyors of the King, or any other; ſaving to the King all prices Royal, and all carriages and victual, as hath been accuſtomed.

X. Every Carrier returning from the ſtaple, ſhall have a Bill under the Mayors ſeal, teſtifying that he ſerveth the Staple, and containing his journeys home, which Bill ſhall be freely granted, and the Mayor ſhall be ſworn to give no Bills to any but ſuch as ſerve the Staple.

XI. If any thing pertaining to the Staple be ſo taken, Hue and Cry ſhall be levied after the offender, by the Town where it is ſo taken, or by the next; and if it be within the Verge, the offender ſhall be puniſhed by the Kings Steward and Marſhall; but if out of the Vierge, he ſhall be conveyed to the Goal, and ſuffer as a Felon, if the offence require it.

XII. If the Town and Towns be negligent to arreſt the offender, the four Towns next adjoyning ſhall anſwer the party grieved his damages, if they cannot reaſonably excuſe themſelves.

XIII. If ſuch offence be committed within the Staple, the Mayor and Miniſters of the Staple ſhall arreſt the taker, and do the party grieved right; but if the Staple be within the Vierge, and the taker be one of the Court, in that caſe the ſaid Mayor and Miniſters ſhall call to them the ſaid Steward and Marſhall, or the Steward's Lieutenant, to ſee right done according to the Law of the Staple; Howbeit, if they come not, the ſaid Mayor and Miniſters ſhall proceed without them.

XIV. **Statutum Stapul.** *cap.* 5. None of the Kings Juſtices ſhall take Conuſance of any thing that pertains to the Staple.

Stat.

XV. **Statutum Stapul.** *cap.* 6. None of the Kings Officers ſhall meddle in the places, where the Staples be holden, in pain to anſwer the party grieved *quadruple* damages, and to be grievouſly puniſhed by the King.

XVI. **Statutum Stapul.** *cap.* 7. All Licenſes granted to *Engliſh*, *Welſh*, or *Iriſh*, to tranſport the aboveſaid Merchandize contrary to this Statute of the Staple, ſhall be void.

XVII. **Statutum Stapul.** *cap.*8. The Mayors and Conſtables of the Staple, ſhall have Juriſdiction and Conuſance (within the Staple, of all people and things which concern the Staple, and all people coming thither, ſhall be ruled by the Law-Merchant, and not by the Common Law, or other cuſtoms: So that if either Plaintiff or Defendant be of the Staple, the Action may be tryed before the ſaid Officers, whether the Contract or Covenant were made within the Staple or without; but treſpaſs there triable muſt be done within the ſaid Staple: Howbeit, Pleas that concern the Kings Court, ſhall be heard and determined by the Steward or his Lieutenant, and the Marſhals, together with the ſaid Mayor; And Pleas of Land, and Freehold, ſhall be at the Common-Law.

XVIII. If Felonies, or Mayhemes be there committed, the Mayor, or other fit perſons, ſhall be aſſigned to hear and determine them according to the Common Law, and none ſhall detain ſuch an offender, in pain of 100 *l.* And indictments found without the Staple of offences done within it, ſhall be ſent to the ſaid Mayor and Juſtices to do right therein.

XIX. When an iſſue is to be tryed before the Mayor by an Enqueſt, if the parties be both Denizens, the Enqueſt ſhall be all Denizens, and when they are both Aliens, they ſhall be all Aliens: but when the one party is a Denizen, and the other an Alien, half the Enqueſt ſhall be Denizens, and the other half Aliens.

XX. **Statutum Stapul.** *cap.*9. The Mayor of the Staple may take a Recogniſance of a debt, in the preſence of the Conſtables of the Staple, or one of them; And there ſhall be a Seal ordained, to be remaining with the Mayor, under the Seal of the Conſtables, with which every Obligation upon ſuch Recogniſance ſhall be ſealed, and for every ſuch Obligation under 100 *l.* they ſhall pay an half peny in the pound, but for thoſe above, only a farthing in the pound.

XXI. Upon ſuch Obligation after default of payment, the Mayor may impriſon the Debtor, and arreſt his goods, and ſell them to ſatisfie the Creditor: But if the Debtor be not found within the Staple, the Mayor ſhall certifie the Obligation into the Chancery, from

from whence ſhall thereupon iſſue a Writ againſt the debtors perſon, lands, goods, and chattels, returnable into the Chancery, and thereupon due execution ſhall be made, as is contained in the Statute-Merchant; ſo that the Creditor may have Freehold in the Debtor's lands, which ſhall be delivered unto him by the ſame Proceſs, and likewiſe recovery by Writ of *Novel diſſeiſin*, if he be put out: But here, the Debtor ſhall have no advantage of the quarter of a year, that is contained in the ſaid Statute-Merchant.

XXII. **Statutum Stapul.** *cap.* 15. They who have wools, leather, fells, or lead, betwixt the places where the Staples be, and the Sea, and ſeem to intend to carry them to the Staple, ſhall make Indentures betwixt them and the Bailiffs of the Town, where they ſhip them, teſtifying how much they have ſo ſhipt.

XXIII. The Bailiffs of ſuch places ſhall take an Oath, and ſufficient ſurety of them and the Mariners, that they ſhall carry them to the Staple, and not elſewhere, and there ſhall diſcharge them before they enter the Sea.

XXIV. The ſaid Bailiffs ſhall ſend one part of the Indentures to the ſaid Mayor of the Staples (whither they pretend to carry the goods) by a meſſenger (for whom they will anſwer) at the coſts of the Owners of the goods; And all this the ſaid Bailiffs and Merchants ſhall do, in pain to incur the puniſhment contained in the third Article of this Statute; *which ſee in Merchants.*

XXV. **Statutum Stapul.** *cap.* 16. In every Town where the Staple is, there ſhall be certain rows and places provided, where the wools and other merchandize may be put; And houſes there ſhall be ſet at reaſonable rates, to be aſſeſſed by the Mayor or Conſtable of the ſtaple, and four diſcreet men of the Town: where the Staple is, who ſhall be ſworn to make a lawful tax; And none ſhall be diſturbed to lodg his Merchandize in ſuch hired houſe.

XXVI. **Statutum Stapul.** *cap.* 18. Merchants of *Ireland* and *Wales*, who cannot ſell their Wool, Woolfels, Leather, or Lead in *Ireland* and *Wales*, may bring them to the Staples of *England*, having firſt paid Cuſtome for them in the places from whence they bring them, in reſpect whereof they ſhall not be charged with Cuſtome in *England*. Howbeit, if they carry them elſewhere, they ſhall incur the penalties of the ſaid third Article.

XXVII. The Treaſurer and Barons of the Exchequer ſhall yearly (at *Eaſter* and *Michaelmas*) have an accompt, what merchandize is ſo conveyed out of *Ireland*, and of the cuſtom paid for the ſame.

XXVIII. **Statutum Stapulæ,** *cap.* 19. No Merchant or other ſhall loſe his goods for the offence of his ſervice, unleſs he did it by the

the command or procurement of his Maſter: and ſpeedy juſtice ſhall be done to Merchants from day to day, and hour to hour.

XXIX. **Statutum Stapul.** *cap.* 20. If any wrong be offered a Merchant-ſtranger out of the Staple, the Juſtices there ſhall do him right according to Law-merchant, *viz.* ſpeedy Juſtice, and if any be convict thereof, he ſhall forfeit to the King as much as the Merchants damages amount unto, and ſhall pay to the merchant double damages.

XXX. **Statutum Stapul.** *cap.* 21. In every Staple Town, there ſhall be a Mayor, and two Conſtables eſtabliſhed, able for the execution of their ſeveral places; and when they die, or are changed, others ſhall be choſen in their rooms by the communalty of Merchants there: Howbeit, the Mayor ſhall not hold over his year, unleſs he be again choſen (as aforeſaid) and that as well by Aliens as Denizens.

XXXI. The Mayor and Conſtables have power to keep the peace, and to arreſt offenders there for debt, treſpaſs, or contract; and them to impriſon and puniſh, according to the law of the Staple, for which end a priſon ſhall be there alſo ordained.

XXXII. Officers of Corporations where the Staple is, or near adjoyning thereunto, ſhall (upon command) aſſiſt the Officers of the Staple in the execution of their Offices, in pain of grievous forfeiture: Alſo a Lord of moſt ſufficiency in the Countrey where the Staple is, ſhall be aſſigned to be ayding to them, as occaſion ſhall require, as well to reform offenders, as to redreſs miſtakes by them omitted: but the appeal for injuſtice in the ſtaple, ſhall be to the Lord Chancellor or Privy Council.

XXXIII. **Statutum Stapul.** *cap.* 22. In every Staple there ſhall be Correctors appointed, able and ſufficient men (as well Aliens as Denizens) to record bargains betwixt buyers and ſellers, and they ſhall give good ſurety before the Mayor and Conſtables, lawfully to execute their Office; and being found in default, ſhall anſwer damages to the party grieved: Howbeit, they ſhall not meddle with merchandize during their Office: But here, none ſhall be forced to uſe a Corrector, unleſs he pleaſe, nor give him any thing, unleſs he do ſomething at his requeſt.

XXXIV. **Statutum Stapul.** *cap.* 23. A certain number of Porters, Packers, Winders, Workers, and other Labourers of Wools and other merchandize, ſhall be ordained for the Staple, who, together with the Correctors, and all other Officers of the Staple (except the Conſtables) ſhall be ſworn before the Mayor, duly to execute their Offices: Alſo all Merchants (both Aliens and Denizens) coming

coming thither to merchandize, ſhall be ſworn before the Mayor and Conſtables to be juſtified by them, and to maintain the Laws and Uſages of the Staple; But the Mayor and Conſtables ſhall be ſworn in Chancery duly to execute their ſeveral Offices.

XXXV. **Statutum Stapul.** *cap.* 24. Merchants ſtrangers ſhall chooſe two Merchants ſtrangers, who ſhall be aſſigned (the one for the South, the other for the North, to ſit (when they pleaſe) with the Mayor and Conſtables of the Staples, to hear plaints touching merchants aliens; but the Mayor and Conſtables ſhall not forbear to proceed if they come not: Howbeit, if they come, and any debate happen to ariſe between them, concerning ſuch plaint, it ſhall be determined before the Chancellor, or the Kings Council.

XXXVI. Alſo ſix other perſons ſhall be choſen, *viz.* two of *Almaigne*, two of *Lombardy*, and two of *England*, who ſhall be ſworn duly to execute their Offices in moderating differences amongſt merchants concerning things of the ſtaple, which any four of them may (by their Oaths) do before the Mayor and the Officers; and what they do therein, ſhall be definitive.

XXXVII. **Statutum Stapul.** *cap.* 25. He that makes confederacy or conſpiracy, which may turn to the impeachment, diſturbance, defeating, or decay of the ſaid Staples, or of any thing to them belonging, ſhall incur the penalties ordained in the ſaid third Article.

XXXVIII. **Statutum Stapul.** *cap.* 28. The Liberties of the Staples are confirmed, notwithſtanding any Franchiſes granted to Corporate Cities or Towns; howbeit, other mens liberties, being in the Staple, (*viz.* to keep Fairs, Markets, and the like) are ſaved.

XXXIX. **Stat.** 28 E. 3. 13. The Warranty of packing of Woolls ſhall be wholly taken away, unleſs it be by Covenant under Seal.

XL. An Enqueſt for the trial of an Action in the Staple, or before other Juſtices, where an Alien is one of the parties, ſhall be *per medietatem linguæ*, if ſo many Aliens may be found; but if not, by ſo many as are found, and the reſt to be made up of Denizens, being no parties or Privies.

XLI. None ſhall foreſtall Merchandize coming towards this Realm, in pain to incur the penalties of the ſaid third Article of the Statute-Staple, *&c.*

XLII. No foreigners Ship ſhall be compelled to arrive in *England*, nor to tarry in any place there, againſt the good will of the Maſter, Mariners, or Merchant, unto whom the Ship, or the goods in her do belong,

belong, in pain to incur a grievous forfeiture to the King.

XLIII. **Stat.** 36 E. 3. 7. Mayors and Conſtables of the Staples ſhall have only Conuſance of Debts, Covenants, Contracts, and all other Pleas touching merchandize, and the ſurety thereof betwixt Merchants known; but proceſs of Felonies, and all other pleas (as well within the ſtaple as without) ſhall be at the Common Law, as it was before the Statute-Staple: Howbeit, Merchant-Aliens have liberty for to ſue for debts, treſpaſs, &c. before the Mayor, or at the Common Law at their election.

XLIV. The King and other Lords (within their Seigniories) ſhall enjoy their Franchiſes, as they did before the Statute-Staple; only the Mayor of the Staple ſhall take Recognizance, as by the ſaid Statute is ordained.

XLV. **Stat.** 38 E. 3. *Stat.* 1. 7. The Staple ſhall be in *England*: And the Statute of the ſtaple, together with the Declarations, additions, and modifications thereof is confirmed.

XLVI. **Stat.** 12 R. 2. 16. The Staple ſhall be removed from *Middleborough* to *Calais*.

XLVII. **Stat.** 14 R. 2. 1. The Staple ſhall be removed from *Calais* to thoſe Towns in *England*, named in the Statute of the ſtaple, 27 E. 3. 1.

XLVIII. Every Merchant alien, ſhall beſtow the value of half his merchandize upon Commodities of this Realm.

XLIX. **Stat.** 14 R. 2. 3. Officers of the Staple ſhall be firſt ſworn to the King, and then to the Staple.

L. **Stat.** 14 R. 2. 4. No Denizen ſhall tranſport any Wools, Woolfels, Leather, or Lead beyond Sea, in pain to forfeit the ſame.

LI. **Stat.** 15 R. 2. 9. The Statute of the ſtaple is confirmed.

LII. The Mayor of the ſtaple ſhall take no Recogniſance of debt contrary to the ſame Statute, in pain to pay half the ſum Recogniſed to the King.

LIII. **Stat.** 10 H. 6. 1. Recogniſances taken before the Mayor of the Staple of *Calais*, ſhall be effectual in *England*.

Steel.

* I. **Stat.** 2, 3. E. 6. 17. None ſhall forge or ſell any gads of Iron, like in faſhion to gads of Steel, in pain to forfeit 4 *d.* a gad, to be diuided betwixt the King and the proſecutor.

Stilyard.

I. **Stat.** 19 H.7.23. All Acts, Statutes, and Ordinances made in derogation of the Merchants of the *Stilyard* (called Merchants of the Houſe in *Alemain*, and having the Houſe in *London*, called *Guilhalda Teutonicorum*) or of their Liberties granted them by the Kings of *England*, ſhall ſtand (as againſt them) void and repealed: Howbeit, this Act ſhall not be prejudicial to the City of *London*.

Surveyors.

I. *Extenta Manerii*, 4 E. 1. Containing certain Articles to be inquired by Surveyors, concerning Building, Demeſnes, Foreign Paſture, Parks, Demeſne woods, Foreign woods, Herbage and Pannage, Mills, Fiſhing, Freeholders, Cuſtomary Tenants, Cottages, and Curtilages, Perquiſits of Courts, Patronages, Liberties, Cuſtomes, Services, &c. *See the Statutes at large.*

Suit of Court.

I. **Warbr.** 9. 52 *H.* 3. None enfeoffed by Deed, ſhall be diſtrained to do ſuit to his Lords Court, unleſs he be bound to do it by the form of his Deed, or he or his Anceſtors have uſed to do it before the Kings firſt voyage into *Brittain*, being about 39 years and an half ſince.

II. None enfeoffed from the time of the Conqueſt ſhall do it, unleſs his Anceſtors have done it before the ſaid voyage.

III. Such as be at a ſuit-fine, ſhall be free from ſuit, paying their Fine.

IV. The Parcenor having the eldeſt part, ſhall do ſuit for his or her fellows, and the reſt ſhall be contributary.

V. Alſo one Joynt-tenant or Tenant in common, ſhall do the ſuit, and (if there be no mean to acquit him) the reſt ſhall contribute.

VI. If a Lord diſtrain for ſuit not due, the parties (upon complaint) ſhall have an attachment againſt the Lord to appear in the Kings Court at a ſhort day, when one only Eſſoin ſhall be allowed, and the diſtreſs ſhall be delivered to the Plaintiff, and there remain untill the Plea be determined.

VII. If the Lord appear not at the day, the Sheriff ſhall have command to diſtrain him by his goods, and to have his body before the Juſtices at another day; when, if he appear not, the Plaintiff ſhall

ſhall go without day, and the diſtreſs ſhall remain with him, untill the Lord have recovered; and in the mean time, no more diſtreſſes ſhall be made, ſaving to Lords their right, to recover their ſuits, when they will ſue for them: But here, if the Lord be convict, he ſhall allow the Plaintiff damages.

VIII, Like Juſtice ſhall be done to Lords againſt Tenants that withdraw their Suits, as to limiting of days, and awarding of diſtreſſes, and damages alſo, if they recover; but Lords ſhall not recover ſeiſin of ſuch Suits againſt their Tenants by default, as they were wont to do: And as concerning ſuits withdrawn before the time above-mentioned, let the Common Law run, as it was wont to do.

Swans.

I. Stat. 22 E. 4. 6. None (but the Kings Son) ſhall have any maſk or game of Swans of his own, or to his uſe, except he have Lands and Tenements of Freehold, worth five Marks *per annum*, beſides repriſes, in pain to have them ſeiſed by any having lands of that value, to be divided betwixt the King and the Seiſor.

Swearing and Curſing.

* I. Stat. 21 *Jac.* 20. If any ſhall ſwear or curſe within the hearing of a Juſtice of Peace, or ſhall be convicted thereof by his own confeſſion, or the evidence of two witneſſes upon oath before the ſame Juſtice, he ſhall forfeit 12 *d.* to the uſe of the poor where the offence ſhall be committed, to be levied by the Conſtable, Church-wardens, and Overſeers of the Poor there (upon warrant from ſuch Juſtice) by diſtreſs and ſale of goods; and in default of diſtreſs, if the offender be above 12 years old, he ſhall (upon warrant as aforeſaid) be ſet in the ſtocks 3 hours; but if under, then ſhall he be whipped by the Conſtable, or by the Parent or Maſter in the Conſtables preſence.

II. Here, if the Officer be ſued for the due execution of his Office, he may plead the general iſſue, and yet give ſpecial matter in evidence.

III, This offence ſhall be complained of, and proved, as aforeſaid, within 20 days after it is committed: And this Act ſhall be read in the Church twice in the year, upon Sunday after Evening-Prayer.

Tail.

Tail.

1. West. 2. 1. 13 E. 1. WHere Lands are given to a man, and the heirs of his body, or to husband and wife, and the heirs of their two bodies, upon condition, That if ſuch man, or ſuch husband and wife die without iſſue, that then the land ſhould revert to the Donor; or where land is given in frank-marriage, and ſuch a condition is conceived to be annexed or implied: In all ſuch caſes heretofore the Feoffees (after iſſue had) had power to Alien, and to diſ-inherit the iſſue, contrary to the mind of the Donors: Wherefore now it is ordained, That the Will of the giver (according to the form in the Deed of Gift, manifeſtly expreſſed) ſhall be from henceforth obſerved, ſo that they to whom the land was given under ſuch condition, ſhall have no power to alien the land ſo given, but it ſhall remain to their iſſue after their death, or ſhall revert to the giver, or his heirs, if iſſue fail; neither ſhall the ſecond husband of any ſuch woman from henceforth, have any thing of the land ſo given upon condition (after the death of his wife) by the Law of *England*, nor the iſſue of ſuch ſecond husband and wife ſhall ſucceed in the inheritance; but immediately after the death of the husband and wife, unto whom the land was given, it ſhall return unto the iſſue of the giver, or his heirs, as aforeſaid.

II. Hereupon a new Writ of *Formedon in deſcender* is granted in this form: *Præcipe* A. *quod juſte, &c. reddat* E. *Manerium de* F. *cum ſuis pertinentiis, quod* C. *dedit tali viro, & tali mulieri & hæredibus de ipſis viro & muliere exeuntibus*: or thus, *Quod* C. *dedit tali viro in liberum maritagium cum tali muliere & quod poſt mortem prædictorum viri & mulieris prædicto* B. *filio eorum viri & mulieris deſcendere debeat per formam donationis prædictæ, ut dicit, &c. vel. Quod* C. *dedit tali & hæredibus de corpore ſuo exeuntibus, & quod poſt mortem illius talis prædicto* B. *filio prædicti talis deſcendere debeat per formam, &c.*

III. This Act ſhall extend to gifts hereafter to be made, and not to gifts heretofore made; and a Fine hereafter to be levied upon ſuch lands, ſhall be void in Law: Neither ſhall the heir or reverſioner (albeit they be of full age, in *England*, or out of priſon) need to make their claim: *But this Law, concerning a Fine, is in ſome ſort altered by* 32 H. 8. 36. *which ſee in* Fines.

Taxes, Tenths, Fifteens, Benevolences, Ship-money.

I. **Stat.** 25 E. 1. Certain Taxes then before taken ſhall not be taken in cuſtome, but by the common aſſent of the Realm, except antient Aids and Taxes.

II. **Stat.** *De Tallagio non concedendo, cap.* 1. *Temp.* E. 1. No tallage or aid by us or our heirs, ſhall be levied without the will and aſſent of the Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other free Commons of our Realm.

III. **Stat.** 1 E. 3. *Stat.* 2. *cap.* 6. Whereas after Taxes rated, levied, and paid into the Exchequer, Commiſſions of review iſſued out, by colour whereof the Juſtices thereto aſſigned, took Fines of the Taxers and others; it is ordained, That from henceforth the people ſhall be taxed after the old manner, and not otherwiſe.

IV. **Stat.** 11 R. 2. 9. No impoſition or charge ſhall be put upon Wooll, Leather, or Woolfels, other than the Cuſtom and Subſidy granted to the King in this preſent Parliament; and if any be, the ſame ſhall be annulled, ſaving always unto the King his ancient right.

V. **Stat.** 9 H. 4. 7. Goods ſhall be chargeable towards the payment of Tenths or Fifteenths, in the place where they were at the time the ſame were granted; howbeit, none ſhall be twice charged for his goods.

VI. **Stat.** 1 R. 3. 2. The Subjects of this Realm ſhall not be hereafter charged by any charge, called a Benevolence, or any ſuch like exaction, or impoſition whatſoever, and ſuch impoſitions heretofore charged upon the Subject, ſhall not be hereafter drawn into preſident or example.

VII. **Stat.** 19 H. 7. 8. No Mayor, Sheriff, Bayliff, or other Officer, ſhall diſtrain, take, or levy any cuſtom, called *Scavage*, or *Schevage* of any Denizen, for any Merchandize before truly cuſtomed, nor for the payment thereof, let or diſturb any Merchant or other (being Denizens) to ſell or utter the ſame Merchandize, in pain of 20 *l.* to be divided betwixt the King and the party grieved, or the proſecutor, which of them will ſue firſt for it.

VIII. Howbeit, the Mayor and Communalty of *London* may take ſo much money (of Denizens) for ſcavage, as ſhall be found to be their right by the King and his Council.

Stat.

IX. **Stat.** 16, 17 *Car.* 14. An Act for declaring unlawful and void the late proceedings touching Ship-money, and for the vacating of all Records and Process concerning the same.

X. **Stat.** 16 and 17. Ca. 2. Ca. 1. A Royal Ayd, of 4675000 *l.* granted to the King to be raised in three years.

And see title Excise *per tot.* And for Hearth-money, see title King numb. 8. See Title Benevolence.

Templers.

I. **Stat.** *De terris Templariorum,* 17 E. 2. Neither the King nor other Lords, shall have by escheat, the lands that were the *Templers,* (which Order was then dissolved) but those lands shall remain to the Prior and Brethren of the Order of the Hospital of Saint *Johns* of *Jerusalem,* which Order was then erected.

Tenure.

I. **Magna Carta** 10. None shall distrain for more service then is due.

II. **Magna Carta** 31. If a Baronie escheat to the King, the Tenants that hold of the same (not having other lands that hold of the King in chief) shall pay like relief, and do like services to the King after such escheat, as they paid or did to their former Lords, and not otherwise.

III. **Magna Carta** 32. No Freeman shall give or sell so much of his land, that of the residue, the Lord of the Fee may not have the services due to him.

IV. *Quia Emptores terrarum,* 18 E. 1. In all Feoffments to one and his heirs, the Feoffee shall hold his land of the chief Lord of the Fee by the same services that the Feoffor held before.

V. Here, if the Feoffment be made of parcel, he shall hold of the chief Lord *pro particula,* according to the quantity of the land, and the Feoffor shall be set free for that part.

VI. Howbeit, by such sales or purchases of lands, or any parcels thereof, such lands shall not come into *Mortmain,* contrary to the Statute thereof lately made: Neither shall this Act be understood of any other then lands in Fee-simple.

VII. **Stat.** 1. E. 3. Stat. 2. 12. From henceforth lands holden of the King in chief, and alienated without license, shall not be for-

feited, but a reaſonable fine ſhall be taken (of ſuch lands ſo aliened) in *Chancery* by due Proceſs.

VIII. **Stat.** 1. E.3. Stat.2.15. Lands holden of the King, as of ſome Honour ſhall not be taken into the Kings hands, as if they were holden of the King in chief, as of his Crown.

IX. **Stat** 34 E.3.15. All Alienations, which the tenants of H.3. and of other Kings before his time did make, are confirmed.

X. **Stat.** 7 E.4,5. Lands holden of a common perſon by Fealty, Rent, or other ſervice, coming to the Kings hands by attainder of Treaſon, and being afterwards granted by the King to another, ſhall be holden, as if ſuch attainder had not been.

XI. **Stat.** 35 H. 8. 14. The King (at his pleaſure) upon the grant of any Abby-lands under the value of 40 *s. per annum* (houſes and gardens, whereunto no lands appertain, onely excepted) may reſerve either a Tenure by Knight-ſervice in *Capite*, or a Tenure in ſoccage, or free-burgage, and not in *Capite*, with the yearly Rent of the tenth part of the annual value of the ſaid lands, as they ſhall be expreſt in the ſaid Grant to be yearly worth: And of ſuch houſes alſo and gardens, whereunto no lands appertain, as aforeſaid (being none of the Kings Houſes:) The like Tenures (at his pleaſure) and a tenth part of the yearly value, *whether they be under or over the yearly value of* 40 *s. per annum.*

XII. **Stat.** 7 H. 8.20. All lands and other hereditaments, not above the yearly value of 40 *s.* and all houſes, orchards, yards, and gardens, whereunto no lands appertain (being none of the Kings houſes) granted by the King, ſince the 27th year of his Reign, to any perſon or perſons, to hold of him by fealty only, or by fealty only, and not in *Capite*, or in ſoccage or free-burgage, or by fealty only in free and common ſoccage, and not in *Capite*, or by words to that effect: Or to hold by fealty, or by fealty onely, and not in *Capite*, as of one of the Kings Honours or Mannors, or the like, ſhall be adjudged and taken to be holden in ſoccage or burgage, and not in *Capite.*

XIII. The King, within five years after the 1. of *Novemb.* in the 37th year of his Reign (at his pleaſure) upon grants of lands, or other hereditaments, not rated at above 40 *s. per annum* (houſes, gardens, *&c.* unto which no lands belong only excepted) and of ſuch houſes, gardens, *&c.* (being not the Kings) may reſerve either a Tenure by Knight-ſervice in *Capite*, or elſe a Tenure by fealty, or in ſoccage, or burgage, and not in *Capite:* And all Tenures reſerved ſince the 24. of *April*, in the 25. year of the Kings Reign, and to be reſerved within the ſaid five years, by theſe words, *Et non in Capite*, ſhall

ſhall be taken to be Tenures in ſoccage or burgage, and not in *Capite*: And the heir of the Grantee of any ſuch lands, houſes, *&c.* may (after the death of his Anceſtor) enter into any of the ſame lands, houſes, *&c.* without any livery, or *ouſtre le main*, or other fine or fines whatſoever to be paid to the King for the ſame.

XIV. **Stat.** 1 E. 6. 4. All ſuch Honors, Mannors, Lands, Tenements, or Hereditaments, which are holden of the King by Knight-ſervice, in ſoccage, or otherwiſe, as of any Dukedom, Earldom, Baronie, or other Seigniorie (being come to the King by attainder, conviction, outlawry, diſſolution, or ſurrender) ſhall not be taken to be holden in *Capite*.

XV. This Act ſhall not prejudice the Kings profit or advantage, in reſpect of lands holden of him, as of his perſon in chief, or of his ancient poſſeſſions.

XVI. Neither ſhall this Act give advantage to any Tenant of lands, who hath heretofore ſued any ſpecial or general livery, or *Ouſtre le main*, out of the hands of the King or his progenitors, or ſhall confeſs by matter of record any Tenure in chief to the King.

Tiles.

I. **Stat.** 17 E. 4. 4. Tile earth ſhall be caſt up before the firſt of *November*, ſhired and turned before the firſt of *February*, and not made into Tile, before the firſt of *March*, and ſhall likewiſe be tryed and ſevered from ſtones, malne, marle and chalk.

II. A plain Tile ſhall contain in length ten inches and an half, in breadth ſix inches and a quarter, and in thickneſs half an inch half a quarter, at leaſt: A roof or croſs-tile, in length thirteen inches, and in thickneſs, as before, with convenient deepneſs accordingly; a gutter and a corner-tile, in length, ten inches, and an half, with convenient thickneſs, breadth and deepneſs.

III. If any ſhall ſell Tile otherwiſe made, he ſhall forfeit to the buyer the double value thereof, to be recovered by Action of debt; and beſides, ſhall make fine and ranſom at the Kings will.

IV. Juſtices of Peace ſhall hear and determine theſe defaults and offences, as well at the ſuit of the King, as of the party grieved, and ſhall not ſet leſs fine upon an offender againſt this Act, then after the rate of 5 *s.* for every thouſand of plain Tile, 6 *s.* 8 *d.* for every hundred of roof-tile, and 2 *s.* for every hundred of corner or gutter-tile.

V. The ſaid Juſtices have alſo authority to appoint ſearchers of Tile, who ſhall diligently execute that office, in pain to forfeit to

the King for every default, 10 *s.* and ſhall have of every Tile-maker for ſuch ſearch, after the rate of 1 *d.* for every thouſand of plain Tile: *ob.* for every hundred of roof-tile: and *qu.* for every hundred of corner and gutter-tile: and ſhall make preſentment of all defaults found at the next Seſſions, which ſhall be as effectual in Law as a preſentment of twelve men.

VI. None ſhall put any Tile to ſale before ſuch ſearch be made, in pain to forfeit the ſame, and the Juſtices of Peace have alſo power to hear and determine in the defaults of the ſaid ſearchers.

Tindale, Rideſdale, and Examſhire.

I. **Stat.** 2 H. 5. 5. If any perſon of *Tindale*, or *Examſhire*, commit any murder, treaſon, manſlaughter, or robbery, or conſent thereunto, out of the ſaid Franchiſes, Proceſs ſhall be made againſt him until he be outlawed, and after outlawry returned, the Juſtices before whom it is ſo returned, ſhall make certificate thereof to the Miniſters of the ſaid Franchiſes, who ſhall take ſuch Felons, and ſeize their lands and tenements into the hands of the Lords of the ſame Franchiſes, as forfeit; but their lands and tenements out of thoſe Franchiſes, ſhall be ſeized to the uſe of the King and other Lords, (having Franchiſe there) as forfeit: ſaving to the King the forfeitures of ſuch offenders, which to him belong in right of his Crown.

II. **Stat.** 9 H. 5. 7. The Statute of 2 H. 5. 5. made againſt offenders in *Tindale* and *Examſhire*, ſhall be extended againſt the like offenders in *Rideſdale*.

III. **Stat.** 11 H. 7. 9. The North and South-Tindale, and all the lands within the ſame, ſhall be guildable and parcel of the County of *Northumberland*, and no Franchiſe ſhall be there, but all the Kings Writs and Officers ſhall be there obeyed.

IV. None ſhall demiſe any lands for years, life, or at will there, but the Leſſor ſhall before find two ſureties, having at leaſt 40 *s. per annum*, within the County of *Northumberland*, to be bound by Recogniſance in 20 *l.* to the King, to make anſwer within 8 days warning, to all ſuch offences, as aforeſaid; And the Leſſor ſhall forfeit 40 *s.* for every acre otherwiſe let, to the King and Juſtices, and ſuch Leaſe ſhall be void; The Juſtices of Peace alſo ſhall inquire of ſuch Recogniſances forfeited: *See the Statute at large.*

Stat.

Tithes.

*I. **Stat.** *pro Clero*, 7. 18. E. 3. No *Scire facias* ſhall be awarded to warn a Clerk to anſwer for his Tithes before any ſecular Judge; ſaving to him his right.

II. **Stat.** 1. R. 2. 14. Where in an Action of goods carried away, the Defendant maketh his title for Tithes due to his Church, in ſuch caſe the Plaintiffs general averment ſhall not be taken without ſhewing ſpecially how the ſame were his lay-chattel.

III. **Stat.** 5. H 4. 11. The Farmers of Aliens ſhall pay Tithes to the Parſons and Vicars of the Pariſhes, where the lands in farm do lie, notwithſtanding they be ſeiſed into the Kings hands, or any prohibition made to the contrary.

IV. **Stat.** 27. H. 8. 20. If the Judge of an Eccleſiaſtical Court make complaint to two Juſtices of Peace (1. *qu.*) of any contumacie, or miſdemeanour committed by a Defendant in any ſuit there depending for Tithes, the ſaid Juſtices ſhall commit ſuch Defendant to priſon, there to remain, till he ſhall find ſufficient ſurety to be bound (before them) by Recogniſance, or otherwiſe, to give due obedience to the Proceſs, Proceedings, Decrees, and Sentences of the ſaid Court.

V. This Act ſhall not extend to any Citizen of *London*; neither ſhall it reſtrain any perſon from having their defence and remedy, according to the Eccleſiaſtical Laws; and the Laws and Statutes of this Kingdom.

VI. This Act ſhall not have longer force then that the King and ſuch 32 perſons as he ſhall appoint, ſhall have eſtabliſhed the Eccleſiaſtical Laws for the Church of *England*, after which time Tithes ſhall be paid according to thoſe Laws, and not otherwiſe.

*VII. **Stat.** 28 H. 8. 11. The year, in which the firſt-fruits ſhall be paid to the King, ſhall begin immediately after the avoidance or vacation of the Benefice; and the Tithes and other profits of any ſuch Benefice ariſing, during the time of the vacation, ſhall belong to the Preſentee, or his Executors, towards payment of the firſt-fruits, which if any Archbiſhop, Biſhop, or other hinder him to have, he ſhall forfeit the treble value thereof, to be divided betwixt the King and ſuch incumbent: Howbeit, ſuch Archbiſhop, Biſhop, Ordinary, or other officer, ſhall be allowed the charge of the Cure, and of inning Tithes, and other profits.

VIII. Here alſo, the incumbent before his death may make and declare his will of the grain ſown by him upon the Glebe-lands.

IX. But the ſucceſſor (upon a months warning) ſhall have the Parſonage-houſe, and the Glebe not ſowen.

X. If the fruits of ſuch Spiritual Promotion received be not ſufficient to pay the Curate, the next incumbent ſhall do it, within 14. days after his induction.

☞XI. **Stat.** 32 H.8.7. All perſons ſhall duly ſet forth, and pay all Tithes and Offerings according to the cuſtom of the places where they grow due.

XII. If Tithes or Offerings be not ſo ſet out and paid, the party grieved may convent him, that ſo detains them, before the Eccleſiaſtical Judge, who hath power to hear and determine the matter in queſtion ordinarily, or ſummarily, according to the Eccleſiaſtical Laws, and to give ſentence thereupon accordingly.

XIII. Here, if any of the parties appeal, the Judge upon ſuch appeal, ſhall adjudge to the other party reaſonable coſts, and compel the Appellant to ſatisfie them by Proceſs, and cenſures Eccleſiaſtical, taking ſurety of the other party, to whom the coſts ſhall be adjudged to reſtore the coſts in caſe the principal cauſe paſſe againſt him.

XIV. If any perſon after ſuch ſentence given, refuſe to pay the Tithes or ſums of money ſo adjudged, then two Juſtices of Peace (1. *W.*) ſhall (upon certificate thereof from the Judge) commit the party ſo refuſing, to the next Goal, there to remain, until he have found ſureties to be bound by Recogniſance, or otherwiſe before the ſame Judge) to the King, to perform the ſaid ſentence.

XV. Howbeit, none ſhall be thereby compelled to pay Tithes for lands or other hereditaments, which by the Laws and Statutes of this Realm are diſcharged, and not chargeable with the payment of Tithes: Neither ſhall it extend to the City of *London*, or the Suburbs thereof.

XVI. In all caſes, where any perſon, who hath any eſtate of inheritance, free-hold, term, right or intereſt, in any Parſonage, Vicarage or other Eccleſiaſtical profit, which now be, or hereafter ſhall be made temporal, and admitted to be, and abide in temporal hands, and to lay-uſes, by the Laws and Statutes of this Realm, ſhall happen to be hereafter outed, or otherwiſe wronged, from or concerning the ſame, he or ſhe ſhall have remedy for the ſame (in the Kings temporal Courts, or other temporal Courts, as the caſe ſhall require) by Writs of *Præcipe quod reddat*. Aſſize of *Novel diſſeiſin*, *Mortdanceſter*, *quod ei deforciat*, Writs of Dower, and other Original Writs, as the caſe ſhall require, in like manner as for lands, tenements, and other hereditaments in ſuch manner to be demanded.

XVII. Alſo Writs of Covenant, and other Writs for fines to be levied, and all other aſſurances to be had and made of Parſonages, Vicarages, and other profits, called Spiritual, ſhall be deviſed and granted in *Chancery*, as hath been uſed for fines and aſſurances of other lands. Likewiſe all Judgements given, and Fines levied for, and of ſuch Parſonages, *&c.* ſhall be of like effect, as Judgments given, and Fines levied of other lands.

XVIII. Howbeit, remedy for Tithes or offerings ſhall be had in the Eccleſiaſtical Court (and not in temporal Courts) as above by this Act is provided.

XIX. **Stat.** 37 H.8.12. A confirmation of a Decree made by *Thomas*, Archbiſhop of *Canterbury*, and others (there named) for the payment of tithes in *London*; *See the Statute and Decree at large.*

XX. **Stat.** 2, 3. E. 6. 13. The Statutes of 27 H.8.20. and 32 H. 8. 7. are confirmed: And every perſon ſhall without fraud, yield and pay all predial Tithes, as hath been uſed within 40 years before the making of this Act, or of right or cuſtom they ought to have been paid.

XXI. None ſhall take or carry away any tithes (paid, or that ought to have been paid, as aforeſaid) before he hath juſtly divided and ſet forth for the tithe thereof, the tenth part of the ſame; or otherwiſe agreed for the ſame tithes with the Parſon, Vicar, or other owner, Proprietor, or farmer thereof, in pain to forfeit the treble value of the tithes ſo taken, or carried away.

XXII. At Tithing time, it ſhall be lawful for the Owner (claiming ſuch predial tithes) his Deputy or ſervant, to ſee his ſaid tithes be truly ſet out and ſevered from the nine parts, and the ſame quietly to take and carry away.

XXIII. If any perſon carry away his Corn, Hay, or other predial tithes before they be ſet out, or willingly withdraw his tithes of the ſame, or of other things, whereof predial tithes ought to be paid, or do let ſuch owner to view, take, and carry away his tithes, as aforeſaid, by reaſon whereof they are loſt, impaired, or hurt; that then, upon due proof thereof before a ſpiritual Judge, the party ſo carrying away, withdrawing, letting, or ſtopping, ſhall pay the double value of the tithe ſo taken, loſt, withdrawn, or carried away, beſides coſts of ſuit, to be recovered before ſuch Eccleſiaſtical Judge, according to the Eccleſiaſtical Laws.

XXIV. Tithe of Cattel feeding in a Waſte or Common, whose the Pariſh is not known, ſhall be paid by the owner of ſuch Cattel in the place where he dwells.

XXV. None ſhall be compelled to pay tithes for lands or other he-

hereditaments, which by the Laws and Statutes of the Realm, or by any priviledge or preſcription, are not chargeable therewith, or are diſcharged by any compoſition reall.

XXVI. Barren, heath, and waſte ground, (other then ſuch as be diſcharged from tithe by Parliament) which hath heretofore paid no tithes, by reaſon of the barrenneſs thereof, but be now improved and converted to arable ground or meadow, ſhall at the end of ſeven years next after ſuch improvement pay tithes: Or if they yielded ſome ſmall tithe before the improvement, they ſhall only pay that ſame ſmall tithe during the firſt ſeven years, but afterwards ſhall pay the full tithe according to ſuch improvement.

XXVII. Every perſon exerciſing Merchandize, buying and ſelling, or any other art or faculty (being ſuch perſons, and in ſuch places as heretofore within 40 years, have uſed to pay perſonal tithes, or of right ought to have paid them, and not day-labourers) ſhall yearly, at or before *Eaſter*, pay for his perſonal tithes the tenth part of his clear gains, reaſonable charges and expences being deducted.

XXVIII. Handy-craft men, having uſed to pay tithes within 40 years, ſhall ſtill pay them.

XXIX. The Ordinary hath power to examine him that refuſeth to pay his perſonal tithes, by any lawful means, (otherwiſe then by his own oath) concerning the payment of ſuch tithes.

XXX. Offerings ſhall be paid (in the place where the party dwells) at ſuch four offering dayes, as heretofore within the ſpace of four years laſt paſt have been uſed for the payment thereof, but in default thereof, at *Eaſter*.

XXXI. Pariſhes that ſtand upon, or towards the Sea-coaſts, the commodities whereof conſiſt much in fiſhing, ſhall pay their tithes, as they have done within 40 years, and their offerings, as aforeſaid.

XXXII. This Act ſhall not extend to *London*, or *Canterbury*, or their Suburbs, nor to any other Town or place where the Inhabitants have uſed to pay tithes by houſes.

XXXIII. Suits for ſubſtracting, or withdrawing of tithes, and other profits Spiritual, ſhall be proſecuted in the Eccleſiaſtical Court before the Eccleſiaſtical Judge, who hath power (no original or prohibition hanging) to excommunicate the party diſobeying the Sentence, and if he ſtand excommunicate 40 days, to certifie the excommunication (after publication thereof at the place or Pariſh where ſuch party dwels) into the *Chancery*, and thereupon to require Proceſs, *De excommunicato capiendo*, to be awarded againſt the perſon ſo excommunicate.

Before

XXXIV. Before a Prohibition shall be granted, the party Plaintiff therein, shall bring a true copy of the Libel exhibited into the Ecclesiastical Court concerning that suit, subscribed with the hand of the same party, and thereunder shall be written the suggestion, whereupon the party demanded such prohibition, and the Libel thus ordered, shall be delivered to the Justices of the Court where the prohibition is so demanded; and if such suggestion be not proved in that Court by two sufficient witnesses within six months next after such Prohibition granted, the other party shall (upon request) have Consultation, and double Costs and Damages awarded by the said Court, and may recover such costs and damages by action of debt.

XXXV. This Act shall not give power to any Ecclesiastical Judge to hold plea of any matter against the meaning of the Statute of *Westm. 2. cap. 5. Articuli cleri, circumspecte agatis, Sylva cædua*, the Treatise *De regia prohibitione*, nor of 1 E. 3. 10. nor any of them, nor where the Kings Court ought of right to have jurisdiction.

XXXVI. No Tithes of marriage-goods shall be paid in *Wales*, nor the Marches thereof.

Tobacco.

* I. **Stat.** 12 *Car. 2. cap.* 34. None shall sow, set, or plant any Tobacco, within *England*, *Wales*, Isles of *Guernsey* or *Jersey*, Town of *Berwick* upon *Tweed*, or *Ireland*, upon penalty of forfeiture of the said Tobacco, or 40 *s.* for every rod or pole so planted, one moity whereof to the King, the other moity to the Informer.

II. All Sheriffs and other Officers may destroy any Tobacco sown or planted contrary to this Act, and any person resisting such destruction, shall forfeit 5 *l.* to be divided and recovered as aforesaid, and by distress of the offenders goods, and sale thereof.

III. Proviso, Not to extend to Tobacco planted in any Garden for Physick or Surgery, not exceeding one Pole in any one Garden.

IV. *Vid. the Act, title*, Trade, *Numb.* XIV.

☞ Tolls.

I. **Westm.** 1. 30. 3 E. 1. If excessive Toll be taken in a Market-Town, where it is the Kings Town, the Franchise shall be seised; but where it is anothers, if it be done by the Lords consent, the Franchise shall be seised, as before; but if done by a Bailiff, or other Officer,

Officer, he ſhall reſtore as much more to the Plaintiff, as was ſo taken, and ſuffer 40 days impriſonment.

II. Citizens or Burgeſſes, who have the King or his Fathers grant for murage to incloſe their Towns, if they take for murage more then they ought to do by their grant, and be thereof attainted, they ſhall loſe their grant, and be alſo grievouſly amerced to the King.

III. **Stat.** 18 E. 2. Ordinance of Bakers. How Toll ſhall be taken at a Mill.

Towns.

I. **Stat.** 27 *H.*8. 1. A remedy for repair of decayed houſes and buildings upon waſte ground in *Nottingham*, *Shrewsbury*, *Ludlow*, *Bridge-north*, *Quinbrow*, *Northampton*, and *Gloceſter*. *See the Statute at large.*

II. **Stat.** 32 *H.* 8. 18. A remedy for repair of decayed houſes and building upon waſte ground in *York*, *Lincoln*, *Canterbury*, *Coventry*, *Bath*, *Chicheſter*, *Salisbury*, *Wincheſter*, *Briſtol*, *Scarborow*, *Hereford*, *Colcheſter*, *Rocheſter*, *Portſmouth*, *Pool*, *Linne*, *Feverſham*, *Worceſter*, *Stafford*, *Buckingham*, *Pomfret*, *Grantham*, *Exeter*, *Ipſwich*, *Southampton*, Great *Yarmouth*, *Oxford*, Great *Wicombe*, *Gilford*, *Stratford*, *Kingſton* upon *Hull*, *Newcaſtle* upon *Tine*, *Beverley*, *Bedford*, *Leiceſter*, *Berwick*. See the *Statute* at large.

III. **Stat.** 32 *H.*8.19. A like Statute for re-edifying of *Shaftſbury*, *Shirborn*, *Bridport*, *Dorcheſter*, *Weymouth*, *Plimouth*, *Plimton*, *Barnſtable*, *Taveſtock*, *Dartmouth*, *Lanceſton*, *Lyskerde*, *Leſtythiel*, *Bodmyn*, *Truro*, *Helſtone*, *Bridgwater*, *Taunton*, *Somerton*, *Ilcheſter*, *Malden* in *Eſſex*, and *Warwick*. *See the Statute at large.*

IV. **Stat.** 33 *H.*8.36. A like Statute for *Canterbury*, *Rocheſter*, *Stamford*, Great *Grimsby*, *Cambridg*, *Derby*, *Gilford*, *Dunwich*; The Cinque-Ports with the members, *Lewes*, and *Buckingham*. *See the Statute at large.*

V. **Stat.** 35 *H.*8.4. A like Statute for *Shrewsbury*, *Cheſter*, *Ludlow*, *Haverford* Weſt, *Pembroke*, *Denby*, *Carmerdin*, *Montgomery*, *Cardiffe*, *Swanneſſe*, *Cowbridge*, New *Rador*, *Preſtead*, *Brecknoke*, *Monmouth*, *Malden* in *Eſſex*, *Abergavenny*, *Usk*, *Carlion*, *Newport* in *Monmouthſhire*, *Lancaſter*, *Preſton*, *Liverpool*, and *Wygan*. See *the Statute at large.*

VI. **Stat.** 1, 2. *P. M.* 7. None dwelling in the Country out of a Corporation or Market-Town, ſhall ſell or cauſe to be ſold by retail, any Woollen-Cloth, Linnen-Cloth, Haberdaſher-Wares, Grocery-wares, Mercery-wares, in any ſuch Corporation, or Market-Town,

ket-Town, or the Suburbs or Liberties thereof, (except in open Fairs) in pain to forfeit for every time ſo offending, 6 *s.* 8 *d.* and the whole wares ſo ſold, or offered to be ſold; The one moity of which forfeiture ſhall be to the King and Queen, and the other to the ſeiſor or proſecutor.

VII. Howbeit, any perſon may ſell ſuch wares in the ſaid places by whole-ſale in groſs, and by retail alſo, he being made free of the ſaid places, or it being cloth of his own making, that is ſo ſold.

VIII. The Liberties of the Univerſities are ſaved.

IX. **Stat.** 18 *El.* 21. It ſhall be lawful for any perſon freely to buy and ſell in New *Woodſtock*, all Wools and Yarn, brought thither upon the uſual Markets or Fair days, and the ſame to uſe and employ to their beſt profit, notwithſtanding any Statute, Law, or Uſage to the contrary.

Trade.

I. **Stat.** 15 *Car.* 2. *cap.* 5. *Stat.* 3. for encouragement of Tillage:

When prices of Corn and Grain, *winchester* meaſure, exceed not the Rates, at the Havens or places to be ſhipped at, *viz.*

Wheat,	48 *s.*	The Quarter.
Barley or Malt,	28 *s.*	
Buck Wheat,	28 *s.*	
Oats,	13 *s.* 4 *d.*	
Rye,	32 *s.*	
Peaſe or Beans,	32 *s.*	

The ſame may be tranſported beyond the Sea from the ſaid Havens or Places as Merchandiſe.

II. When prices of Corn and Grain exceed not the ſaid Rates at the ſaid Havens, and ſhall be imported from beyond Sea, there ſhall be paid for Cuſtome and Poundage; *viz.* for

Wheat,	5 *s.* 4 *d.*	The Quarter.
Rye,	4 *s.*	
Barley or Malt,	2 *s.* 8 *d.*	
Buck Wheat,	2 *s.*	
Oats,	1 *s.* 4 *d.*	
Peaſe or Beans,	4 *s.*	

III. When the ſame exceed not the prices at the ſaid places, or Markets in the ſaid firſt clauſe mentioned, All perſons not foreſtalling or ſelling the ſame in the Market (within 3 months after the buying) may buy the ſame in open Market, and lay up, and keep the ſame.

No

IV. No Commodity of the growth, production or manufacture of *Europe*, ſhall be imported into any Iſland, Plantation, or place to the King belonging, or to belong, but what be laden and ſhipped in *England*, *Wales*, or *Berwick*, in *Engliſh* built ſhipping: And whereof the Maſter and 3 fourths of the Mariners at leaſt are *Engliſh*: And which ſhall be directly thence carried to the ſaid Iſlands, Plantations and places, and on no other place, upon pain of forfeiture of all ſuch goods imported in any of them into any other place, by land or water: If by water, of the Ship importing them, with her Guns, Ammunition and Apparel, one third part whereof to the King, one third part to the Governor of ſuch Iſland or place where the goods be imported; the other third part to him who ſhall ſeiſe or ſue for the ſame, in any of the Kings Courts in ſuch Iſlands or places where the offence is committed, or in any Court of Record in *England*.

V. Provided, It ſhall be lawful to ſhip and lade in ſuch Ships ſo navigated as aforeſaid, in any part of *Europe*, ſalt for the Fiſheries of *Newfound-land*, and *New-England*; and in the *Madera's* Wines of the growth thereof: And in the *Weſtern* Iſlands or *Azores*, Wines of their growth, and to Ship-ſervants or horſes in *Scotland* or *Ireland*; And in *Scotland* all ſorts of Victuals of the growth or production of *Scotland*; and in *Ireland* all ſuch victuals of their growth or production, and to tranſport the ſame into any the ſaid Lands, Iſlands, Plantations or Places;

VI. Every perſon importing by Land any Goods or Commodities into the ſaid Iſlands, Plantations or places, ſhall deliver to the Governor thereof, or ſuch as by him appointed, within 24 hours after Importation, their names and ſirnames, and a true Inventory of all ſuch Goods; and no ſuch Ship ſhall lade or unlade any ſuch goods, untill the Maſter have made known to the ſaid Governor or other by him appointed, the arrival of the Ship, her name, the Maſters name, and ſhewed ſhe is an *Engliſh* Ship; or by Certificate, that ſhe is belonging to *England*, *Wales*, or *Berwick*, Navigated as aforeſaid, and a perfect Inventory of her Lading, and the place where they were taken in, upon pain of forfeiture as aforeſaid.

VII. All Governors of ſuch Iſlands, Plantations and Places to be put to an oath before ſuch perſons as the King ſhall appoint, to do their utmoſt to ſee this Act performed: And for offending herein, to be put out of their places, made incapable of any other Government in the ſaid places, and forfeit 1000 *l.* one moity to the King, the other moity to ſuch perſon as ſhall inform and ſue for the ſame, as aforeſaid.

VIII. If any Officer of the Cuſtoms in *England*, *Wales*, or *Berwick*

wick upon *Tweed*, ſhall give Warrant, or ſuffer any Sugar, Tobacco, Ginger, Cotton Wooll, Indico, Speckle Wood or *Jamaica* Wood, Fuſtick or other dying wood, of the growth of the Lands or Plantations, to be carried into any other Country or place, unleſs they have been unladed in *England*, *VVales*, or *Berwick*, ſuch Officer ſhall forfeit his Place and value of the Goods, one moity to the King, the other moity to him that ſhall ſue for the ſame, as aforeſaid.

IX. It ſhall be lawful out of any Port of *England*, *VVales*, or *Berwick*, to ſhip and lade Sea-coals for any part of them, paying for the Chaldron, *Newcaſtle* meaſure, only 1 s. 8 d. and *London* meaſure, 1 s. and no more, in full of all Cuſtome and Poundage for the ſame. Provided, the ſame be ſhipped, and navigated as aforeſaid, and ſecurity given to the Officers of the Cuſtome of the Port where they are ſhipped, for landing them in the ſaid Plantations, and not elſewhere.

X. It ſhall be lawful for all perſons to export out of any the Ports of *England*, *Wales*, and *Berwick*, in which there is a Cuſtomer and Collector, all ſorts of Forein Coyn, Bullion of Gold or Silver, firſt entring the ſame in the Cuſtom-Houſe, without paying any Cuſtom or Fee for the ſame.

XI. For every Head of Cattle (except of the breed of *Scotland*) imported into *England*, *Wales*, or *Berwick*, after the 1. of *July*, in any year. And for every head of great Cattle of the breed of *Scotland*, that be brought into *England*, *VVales*, or *Berwick*, after the 24th of *Auguſt*, and before the 20th of *December*, in any year, there ſhall be paid to the King and his heirs 20 s. and 10 s. to him that ſhall inform or ſeize the ſame, and 10 s. to the Poor of the Pariſh where ſuch ſeizure or information ſhall be made: And to the King for every Sheep imported into *England*, *VVales*, or *Berwick*, after the 1. of *Aug.* and before the 20th of *Decemb.* in any year, 10 s. to be recovered and levied as aforeſaid. This Act as to great Cattle or Sheep not to take place till the Firſt of *Aug.* 1664. nor continue longer than the firſt Seſſion of the next Parliament.

XII. No Freſh-Herring, freſh Cod, or Haddock, Coalfiſh, or Gulfiſh, ſhall be imported into *England*, *VVales*, or *Berwick*, but in *Engliſh* built Ships, and having Certificate thereof as aforeſaid, and which have been taken in Ships Navigated as aforeſaid, and not bought of ſtrangers, or ſtrangers Bottoms, upon pain of forfeiture of the ſame, and the Ships or Veſſells, one moity to the King, the other moity to the Informer, to be recovered as aforeſaid.

XIII. For ſalted or dryed Fiſh imported in any other Ship or Veſſel

Vessel then *English*, as aforesaid, there shall be paid for Customs, *viz.* Codfish the barrel, 5 s. Codfish the Last, containing 12 barrels, 3 l. Codfish the Hundred, containing 120, 10 s. Coalfish the hundred 5 s. Lings the hundred, 20 s. White Herrings the Last, 12 barrels, 1 l. 16 s. Haddocks the barrel 2 s. Gulfish the barrel, 2 s.

XIV. Every person that shall plant Tobacco in *England*, *Wales*, *Guernsey*, *Jersey* Islands, and *Berwick* upon *Tweed*, shall forfeit 10 l. for every Pole of ground so planted over and above the penalty in the former Act of planting Tobacco; one third part to the King, one third part to the Poor of the Parish where the offence is, and one third part to him that shall sue for the same in any the Kings Courts of Record at *Westminster*. And if any person resist execution of the said Act, he shall be committed to the Goal, till he have entred Recognizance with Sureties of 20 l. not to commit the like offence again. Proviso, for Gardens of the Universities, and Surgery and Physick, the quantity not exceeding half a Pole.

XV. It shall be lawful to import Cattel of the breed of the *Isle of Man*, not exceeding 600 in one year; And Corn of the growth of that Island, out of it, into *England*, so as the Cattel be landed at *Chester*, *Leverpool*, or *Wire-water*.

☞ Treason.

I. **Stat.** *De proditionibus*, 25 E. 3. Stat. 5. cap. 2. To compass or imagine the death of the King, Queen, or Prince; to violate the Queen, the Kings eldest daughter unmarried, or the Princes wife; to levy War against the King, or to adhere to his enemies within the Realm, giving them aid or comfort within the Realm, or elsewhere: To counterfeit the Kings Great Seal, or Privy Seal, or his money; to bring false money into this Realm, counterfeit according to the money of *England*, (knowing the said money to be false) to Merchandise or make payment with it: to kill the Chancellor, Treasurer, or any Justice of either Bench, Justices in *Eyre*, Justices of Assize, or any other Justices assigned to hear and determine, being in their places doing their Offices, is by this Statute declared to be High Treason: And in the said cases, that ought to be adjudged Treason, which extends to the King, or his Royal Majesty.

II. Forfeitures of Escheats pertain to the King, of whomsoever the lands are holden.

III. There is another sort of Treason (*viz.* Petty Treason) when a servant kills his Master, a Wife her Husband, a Secular or Regular his

his Prelate, to whom he oweth faith and obedience, in such cases the Forfeiture pertains to every Lord of his own Fee.

IV. If any other case, supposed Treason, shall happen before any Justices, they shall defer the judgment thereof, untill the case may be declared before the King and his Parliament, whether it ought to be adjudged Treason or Felony.

V. To ride armed with men of arms, with purpose to kill, rob, or imprison another, untill he hath made fine and ransome, shall not be adjudged Treason, but Felony or Trespass, as hath been heretofore used: And if any such attempt hath been heretofore adjudged Treason, and thereupon Lands seised into the Kings hands withheld of other Lords, they shall be restored to such Lords, saving to the King his year and waste.

VI. **Stat.** 1 H. 4. 10. Treason shall not be adjudged otherwise then as it was ordained by 25 E. 3.

VII. **Stat.** 26 H. 8. 13. *Pars inde,* Treason committed out of this Realm, shall be enquired of in such County, and before such persons as the King shall appoint by Commission, and upon every Indictment and presentment so found and certified into the Kings Bench, like Process and other circumstance shall be there had, and made against the offender, as if such Treason had been found to have been committed within the Realm: Also all Process of Outlawry within the Realm against such offender (being resiant out of the Realm at the time of the Outlawry pronounced) shall be as good in Law, as if such offender had been resident within the Realm at the time of the Process awarded, and such Outlawry pronounced.

VIII. Every such offender, being lawfully convict by presentment, confession, verdict, or process of Outlawry, shall forfeit to the King all such Lands, Tenements, and Hereditaments, which he shall have of any estate of inheritance in use or possession, by any Right, Title, or Means, within the Kings Dominions at the time of such Treason committed, or after.

IX. The Rights, Titles, Interests, Possessions, Leases, Rents, Offices, and other profits of all persons, their heirs and successors (except of the offenders, or others claiming to their use) are saved.

X. **Stat.** 33 H. 8. 20. If any person commit High Treason when he is of perfect memory, and after accusation, examination, and confession thereof before any of the Kings Council, shall fall into Lunacy, he shall be enquired of in any County, where the King by his Commission shall assign; and if he be there indicted, he shall be there arraigned without his personal presence, and if he be found guilty, he shall suffer death, and forfeit, as if he had been

of perfect memory. *But this is altered by* 1, 2. P. M. 20. *which ſee after.*

XI. If any perſon be attainted of High Treaſon by the Common Law, or Statutes of this Realm, ſuch attainder by the Common Law ſhall be of as good force, as if it had been done by Parliament, and the King ſhall have as much benefit thereby, *viz.* of lands, tenements, hereditaments, goods, chattells, uſes, rights, entries, conditions, poſſeſſions, reverſions, remainders, and all other things of ſuch offender, and ſhall be as well adjudged in actual and real poſſeſſion of all ſuch things of the offender, which the King ought lawfully to have, or which the offender ought or might lawfully loſe or forfeit, as if he had been attainted by the Parliament, without any Office or Inquiſition to be found of the ſame.

XII. The right, &c. of all others (except of the offenders, &c.) is ſaved.

XIII. **Stat.** 35 H. 8. 2. All Treaſons, miſpriſions of Treaſon, and concealments of Treaſon, committed out of the Realm, ſhall be enquired, heard, and determined before the Juſtices of the King's Bench, by lawful men of the County, where the Bench ſhall then ſit, or before Commiſſioners in ſuch County, as the King ſhall aſſign by lawful men of the ſame County, in like manner, as if the offence had been committed in the ſame Shire where it is ſo enquired, heard, and determined: But here a Peer ſhall be tryed by his Peers.

XIV. **Stat.** 1 E. 6. 12. All former Statutes which make any offences Treaſon, or petty Treaſon, are repealed, ſave only what is ſo made by 25 E 3. Stat. 5. cap. 2. and by this Statute.

XV. It ſhall be High Treaſon to affirm by writing, printing, or Deed, that the King is not Supream Head of the Church of *England* and *Ireland*, or that any other is: *But this clauſe is repealed by* 1, 2. P. M. 8.

XVI. It ſhall be High Treaſon to interrupt any perſon to whom the Crown is limited, by 35 H. 8. 1. *But this is alſo expreſly repealed by the general words of* 1. M. Seſſ. 1.

XVII. If any compaſs to depoſe the King, or do affirm that he ought not to be King; for the firſt offence, he ſhall forfeit his goods, and ſuffer impriſonment at the Kings will; for the ſecond, he ſhall loſe the iſſues of his lands, during life, and ſuffer perpetual impriſonment, and for the third, ſhall be guilty of High Treaſon: *But ſo much hereof as concerns Treaſon, petty Treaſon, or miſpriſion of Treaſon, is alſo repealed by the general words of* 1. M. Seſſ. 1.

XVIII. **Stat.** 5, 6 H. 6. 11. It is High Treaſon to affirm by writing

ting, printing, painting, carving, or graving, that the King is an Heretick, Schismatick, Tyrant, Infidel, or Usurper of the Crown, or rebellioufly to detain from the King any of his Caſtles, Holds, Ships, Ordnances, Artillery, or other Fortifications of War: *But this part of this* Statute *is repealed expreſly by* 1 M. Seſſ. 1.

XIX. Treaſon committed out of the Realm, ſhall be enquired of in ſuch County, and before ſuch perſons, as the King ſhall appoint by Commiſſion, and upon every Indictment and Preſentment ſo found and certified into the Kings Bench; like proceſs and other circumſtances ſhall be there had, and made againſt the offender, as if ſuch Treaſon had been found to have been committed within the Realm: Alſo all Proceſs of Outlawry within the Realm againſt ſuch offender (being reſiant out of the Realm at the time of the Outlawry pronounced) ſhall be as good in Law, as if ſuch offender had been reſident within the Realm at the time of the Proceſs awarded, and ſuch Outlawry pronounced.

XX. If the party within one year after the Outlawry or Judgment given thereupon, yield himſelf to the Chief Juſtice of *England*, and offer to traverſe the Indictment or Appeal, whereupon he was ſo outlawed; he ſhall be admitted to ſuch traverſe, and being thereupon acquit, ſhall be diſcharged of the Outlawry, and all forfeitures by reaſon thereof.

XXI. The offender in Treaſon, being lawfully convict thereof, ſhall forfeit to the King all ſuch lands, tenements, and hereditaments, as he ſhall have of an Eſtate of Inheritance, in his own right, in uſe or poſſeſſion, in the Kings Dominions, at the time of the Treaſon committed, or at any time after.

XXII. Concealment of Treaſon ſhall be deemed miſpriſion of Treaſon. *But* quære, *whether this clauſe be not alſo repealed by the general words of* 1 M. 1.

XXIII. None ſhall be attainted of Treaſon, but by the teſtimony of two lawful accuſers, who ſhall be brought in perſon before the party accuſed, unleſs he will willingly without violence confeſs the offence.

XXIV. Here the right of all other is ſaved.

XXV. The wife ſhall loſe her Dower, where the husband is attainted of Treaſon, ſo long as the attainder continues in force.

XXVI. **Stat.** 1 *M. Seſſ.* 1. No Act or offence ſhall be adjudged Treaſon, petty Treaſon, or miſpriſion of Treaſon, but ſuch as be declared to be ſo by 25 E. 3. Stat. 5. cap. 2.

XXVII. **Stat.** 1 *M. Seſſ.* 2. 6. To counterfeit any forreign coin (made currant in this Realm) or the Queens Signet Manuall,

privy Signet, or privy Seal, shall be adjudged High Treason: And all counsellors, procurers and abettors thereunto, shall also be deemed Traytors.

XXVIII. Stat. 1, 2 P. M. 10. Tryal of Treason shall be according to the course of the Common Law, and not otherwise.

XXIX. The right of all others is saved.

XXX. Concealment of High Treason shall be adjudged misprision of Treason, and shall incur punishment accordingly.

XXXI. Also in cases of High Treason, concerning coin, and for counterfeiting the King or Queens Signet, privy Seal, Great Seal, or Signet Manual, such tryal shall be observed, as heretofore hath been used by the Common Law.

XXXII. Stat. 1, 2 P. M. 11. If any person bring from beyond Sea into this Realm, or any of the Dominions thereof, any false and counterfeit coin of money, (allowed to be currant in this Realm) knowing it to be so, with intent to utter the same here by Merchandizing, or otherwise, both he and his accessaries shall be adjudged offenders in High Treason; and shall be adjudged and convicted, or attainted for the same by such evidence, and in such form, as hath been used within this Realm before the first of E. 6.

XXXIII. Stat. 5 El. 11. Clipping, washing, rounding, or filing, (for lucre sake) any of the proper moneys, or Coins of this Realm, or the Dominions thereof, or of forreign Moneys or Coins, (allowed to be currant here) shall be adjudged High Treason; and the offender herein, together with his accessaries, being thereof attainted, shall suffer death, forfeit all his goods, and his lands also, during life.

XXXIV. They who have any grant of forfeitures of lands, or goods, within any Liberty or Precinct, shall in this case also enjoy them.

XXXV. These offences make no corruption of bloud, nor forfeiture of Dower: And here tryal of a Peer shall be by his Peers.

XXXVI. Stat. 18 El. 1. If any person (shall for lucre sake) by any wayes or means whatsoever, impair, diminish, falsify, scale or lighten the Coins of these Dominions, or the Coins of any other Realms (allowed to be currant here, during the time they are so allowed) it shall be adjudged Treason, and the offenders therein, their Counsellors, Consentors, and Aiders, shall suffer death, forfeit all their goods and chattells, and their lands also, during life.

XXXVII. Howbeit, this offence shall cause no corruption of bloud, or forfeiture of Dower, and the tryal of a Peer shall be by his Peers.

Stat.

XXXVIII. **Stat.** 29 El. 1. No Record of Attainder of Treason shall be reversed, where the party attainted is executed for the same offence.

XXXIX. **Stat.** 13 Car. 2. cap. 1. It shall be Treason in any persons whatsoever, during the Kings life, within the Realm, or without, to compass, imagine, invent, devise, or intend death or destruction, or any bodily harm tending to death or destruction, maim, or wounding, imprisonment, or restraint of the person of the King, or to deprive or depose him from the stile, honour, or Kingly name of the Imperial Crown of this Realm, or of any other his Dominions or Countries, or to levy War against him, within or without the Realm, or to move or stir any forreiner or stranger with force to invade this Realm, or any other the Kings Dominions or Countreyes, being under his obeysance: And such Compassings, Imaginations, Inventions, Devices, or Intentions, that any of them shall express, utter, or declare, by any Printing, Writing, Preaching, or Malitious, advised speaking, being legally convicted thereof upon the oaths of two lawful and credible Witnesses upon Tryal, or otherwise convicted or attainted by due course of Law; Every such person shall be adjudged a Traytor, and suffer pains of death, and forfeit as in cases of Treason.

Vide Title *King*, Numb. VII.

XL. **Stat.** 12 Car. 2. cap. 30. *Oliver Cromwell* deceased, *Henry Ireton* deceased, *John Bradshaw* deceased, and others attainted of High Treason for the horrid Murther of King *Charles* the first. *Vide* the Act at large.

XLI. **Stat.** 13 Car. 2. cap. 15. The pains, Penalties and forfeitures imposed upon the Estates and persons of certain notorious offenders, excepted out of the Act of Free and General Pardon, Indempnity, and Oblivion.

Trespass.

I. **The Statute of Gloucester.** Cap. 8. 6 E. 1. Sheriffs shall plead pleas of Trespass in their Counties as they have been accustomed to be pleaded.

II. None shall have Writs of Trespass before Justices, unless he swear by his faith, that the goods taken away were worth 40 s. at least.

III. If he complain of beating, he shall answer by his faith, that his plaint is true; but for maims and wounds, a man shall have his Writ, as before hath been used.

IV. The Defendants in ſuch pleas, may make their Attorneyes, where Appeal lyeth not; ſo that if they be attainted of Treſpaſs, being abſent, the Sheriffs ſhall be commanded to take them, and they ſhall incur like pain, as they ſhould have had, if they had been preſent at the Judgment given.

V. If the Plaintiffs in ſuch Treſpaſſes cauſe themſelves to be Eſſoined after the firſt appearance, day ſhall be given them, till the coming of the Juſtices, and the Defendants in the mean time, ſhall be in peace.

VI. In ſuch pleas and others, where attachments and diſtreſſes do lye, if the Defendant Eſſoin himſelf of the Kings ſervice, and do not bring his warrant at the day given by the Eſſoin, he ſhall recompence the Plaintiffs damages for his Journey, 20 s. or more, at the diſcretion of the Juſtices, and beſides ſhall be grievouſly amerced to the King.

VII. **Stat.** 43 El. 7. If any ſhall be convicted by his own confeſſion, or by the Teſtimony of one Witneſs upon Oath, before one Juſtice of Peace, or Head-Officer, to have unlawfully cut and taken away any grain growing, robbed any Orehard or Garden, digged up, or taken away any Fruit-Trees, broken any hedges, pales, or other fences, cut or ſpoiled any woods or under-woods, ſtanding and growing, or the like, or to have been acceſſary thereunto, ſhall for the firſt offence, pay unto the party grieved, ſuch damages, and within ſuch time, as by the ſaid Juſtice, or Head-Officer, ſhall be appointed: And in caſe the party offending, ſhall not by the ſaid Juſtice or Officer, be thought able to diſcharge the ſaid damages, or ſhall not diſcharge them according to the Order, then ſhall the ſaid offender be by them, or either of them (reſpectively) committed to the Conſtable, or other Officer of the place where the offence was committed, or the party apprehended, to be whipped; and for every other offence committed afterwards, and proved, as aforeſaid, the party offending ſhall receive the like puniſhment of whipping.

VIII. The Conſtable, or other inferiour Officer that herein refuſeth or neglecteth to do his duty, ſhall by any ſuch Juſtice of Peace or Head-Officer, be committed to Priſon without bail, till he whip, or cauſe to be whipped the party offending, as is above limited.

IX. No Juſtice of Peace ſhall execute this Statute for offences done to himſelf, unleſs he be aſſociated with one or more Juſtices of Peace, whom the offence doth not concern.

X. **Stat.** 21 *Jac.* 16. *pars in le.* In all Actions of Treſpaſs, *Quare clauſum fregit*, wherein the Defendant, or Defendants, ſhall dif-

disclaim in his or their Plea, to make any Title to the land, in which the trespass is by the declaration supposed to be done, and the trespass be by negligence or unvoluntary, the Defendant or Defendants shall be admitted to plead a disclaimer, and that the Trespass was done by negligence or unvoluntary, and a tender or offer of sufficient amends for such Trespass before the Action brought, whereupon, or upon some of which, the Plaintiff, or Plaintiffs shall be forced to joyn issue, and if the said issue be found for the Defendant, or Defendants, or the Plaintiff or Plaintiffs be non-suited, such Plaintiff or Plaintiffs shall be clearly barred from the said Action or Actions, and all other suit concerning the same.

Triall.

I. **Stat.** 9 E. 3. *Stat.* 1. *cap.* 4. Whereas many be delayed in their Actions, for that the Tenants or Defendants plead in Barr a release, quit-claim, or other special Deed, made within a Franchise, where the Kings Writ runneth not; It is enacted, That when such Deeds are shewed forth in Bar of an Action, and bear date within a Franchise; Albeit the witnesses named in the Deed be of the Franchise, yet if the Deed be denied, Process shall be awarded in the Court where the Plea depends, to cause the Country and the witnesses to appear; and if the witnesses come not at the great distresses returned, notwithstanding such absence of the witnesses, the Justices shall not let to proceed to the taking of the Enquest, as well as if such Deed did bear date within the County, where the Plea was moved, and that the witnesses were of the same County.

II. **Stat.** 8 *H.* 6. 29. The Statute of 28 E. 3. 13. (*which see in Staple*) ordering that an Enquest shall be, *De medietate linguæ*, where an Alien is party, is confirmed: And it is by this Act further declared, that the Statute of 2 *H.* 5. 3. (*which see in* Jurors) doth onely extend to Enquests taken between Denizen and Denizen; so that an Alien may be put upon Enquests according to the Statute of 28 E. 3. albeit he have not lands of the yearly value of 40 s.

III. **Stat.** 20 H. 6. 9. Trial of Dutchesses, Countesses, and Baronesses, for Treason or Felony, shall be as of Noble-men, Peers of the Realm, and not otherwise, notwithstanding the Statute of *Magna Carta*, *cap.* 9. which mentioneth men only to be tried by their Peers. *See that Chapter of Mag. Cart. in* Accusation.

IV. **Stat.** 4 H. 8. 2. *Pars inde.* Where a Murderer or Felon (to delay his arraignment) pleads that he was taken out of a privileged place, in a foreign County; and if it be alledged by the

Kings

Kings Attorney (or ſome other in the Kings behalf) that he was taken in the County, where he is ſo to be arraigned, they ſhall be tryed by the Enqueſt, who are to try the Murder or Felony, and before the ſame Juſtice; and if it be found, that he was taken in the ſame County, ſuch forreign plea ſhall do him no advantage or benefit.

V. Stat. 27 H.8.4. Murders and Robberies committed by Pyrats upon the Sea, or in any other place, where the Admiral pretends Juriſdiction, ſhall be inquired into, tryed, heard, and determined in ſuch Counties and places within the Realm, as ſhall be limited by the Kings Commiſſion, in like manner, as if ſuch offences were done at Land. And ſuch Commiſſions (being under the Great Seal) ſhall be directed to the Lord Admiral, his Lieutenant, or Deputy, and to three or four ſuch others, as the Lord Chancellor ſhall name.

VI. The ſaid Commiſſioners, or three of them, have power to inquire of ſuch offences, by twelve lawful men of the County ſo limited in their Commiſſion, as if ſuch offences were done at Land within the ſame County, and every Indictment ſo found and preſented, ſhall be good in Law; And ſuch Order, Proceſs, Judgment, and Execution, ſhall be uſed, had, done, and made thereupon, as againſt offenders for Murder, or Felony done at Land: Alſo the trial of ſuch offences (if they be denied) ſhall be had by twelve men of the County, limited in the ſaid Commiſſion (as aforeſaid) and no challenge ſhall be had for the Hundred: And ſuch as ſhall be convict of ſuch offences, ſhall ſuffer death without benefit of Clergy, and forfeit lands and goods, as in caſe of Felonies and Murders done at land.

VII. This Act ſhall not prejudice any perſon or perſons (urged by neceſſity for taking Victuals, Cables, Ropes, Anchors, or Sails out of another Ship, that may ſpare them, ſo as they either pay ready money, or money-worth for them, or give a Bill for the payment thereof, *viz.* if they be taken on this ſide the *Straits* of *Morocke*, within four months; but if beyond, within twelve months.

VIII. When any ſuch Commiſſion ſhall be ſent to any place within the Juriſdiction of the Cinque-Ports, it ſhall be directed to the Warden of the ſaid Ports, or his Deputy, with three or four ſuch other perſons, as the Lord Chancellor ſhall name: And the Inquiſition and Tryal of ſuch offences there ſhall be made and had by the Inhabitants of the ſaid Ports, and the members of the ſame.

IX. Stat 28 H.8.15. This Act is *verbatim* the ſame with 27 H.8.4. ſave only that it extends as well to Treaſons and all other capital

capital offences committed within the Admiral's Jurisdiction, as unto Felonies, Robberies, and Murders there done.

X. **Stat.** 33 H. 8. 12. The manner of the Triall, and punishment of Murder and Blood-shed within the Kings Court. *See the Statute at large.*

XI. **Stat.** 33 H. 8. 23. If any person, being examined before the Kings Council, or any three of them, upon any Treason, misprision of treason, or murder, doth confess the same, or by the said Council is vehemently suspected to be guilty thereof, in this case the King shall direct a Commission of *Oyer* and *Terminer* to such persons, and into such County or place as he pleaseth, for the speedy tryal, conviction, or deliverance of such offenders; And here, no challenge for the County or Hundred shall be allowed, but a Juror may be challenged, if he have not Freehold worth 40 *s. per annum*; in this case also trial of a Peer shall be by his Peers.

XII. **Stat.** 2, 3. E. 6. 24. Where any is feloniously stricken or poysoned in one County, and dyeth of such stroke or poysoning in another County, an Indictment thereof found by Jurors of the County where he dyes, shall be as good in Law, as if the stroke or poysoning had been done in the County where the party so dyeth: And Justices of Goal-delivery, and *Oyer* and *Terminer* in the County where such Indictment is taken, as also the Justices of the Kings Bench, before whom such Indictment is removed, may proceed thereupon in all points, as if such stroke or poysoning, and death, had all happened in one and the same County.

XIII. Also an Appeal may be commenced, taken, and sued in the County where the party so stricken, or poysoned shall dye, as well against the principal as accessary, in whatsoever County such accessary be guilty thereof; And the Justices before whom such Appeal is prosecuted (within the year and day after the offence committed) shall proceed against every such accessary in the County, where such appeal is so taken in like manner, as if the offence of such accessary had been committed in the same County, as well concerning trial by Jurors, upon the offenders plea of not guilty, as otherwise.

XIV. Where any Murder or Felony is committed in one County, and more persons be accessary thereunto in another County, an Indictment found and taken against such accessary before Justices of Peace, or other Commissioners in the County where such person is accessary, shall be as good in Law, as if the principal offence had been committed in the same County.

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XV. The Justices of Goal-delivery, or *Oyer* and *Terminer*, (or two of them) of the County where the party so became accessary, shall (upon request) write unto the *Custos Rotulorum*, where the principal shall be attainted or convicted, to certifie them whether the principal shall be attainted, convicted, or otherwise discharged; and then the Justices of Goal-delivery, *Oyer* and *Terminer*, or others authorized, shall proceed upon every such accessary in like manner, as if both the principal offence, and accessary had been committed in the County where the party so became accessary: and thereupon every such accessary shall answer upon his arraignment, and receive such trial, judgment, and execution, and suffer pains and forfeitures, as are used in other cases of Felony.

Tunnage and Poundage. *See* Customes, &c. Numb. XXVII.

Vacations of Bishopricks.

I. **Magna Carta,** 35. 9 H. 3. Patrons of Abbeys shall have the custody of them in time of Vacation.

II. **Stat.** *Pro Clero.* 4. 14 E. 3. Escheators shall preserve from waste and destruction, the possessions of Archbishopricks, Bishopricks, and other Prelacies during their Vacations, and the Chancellor and Treasurer shall demise them to the Dean and Chapter, or Prior, and Convent before any other, at a reasonable rate, without fine; but if they will not take them, then shall the said Chancellor and Treasurer cause them to be preserved by the said Escheators, or others, and the reasonable profits thereof to be answered to the King.

III. **Stat.** *pro Clero,* 5. 14 E. 3. This Chapter is also for demising them to the Dean and Chapter, or Prior and Convent, at a reasonable rate, and without fine, as before, and that the Escheator or other Minister shall not enter or molest them.

Vagabonds,

Vagabonds, Rogues, Beggars, and Poor People.

I. Stat. 39 El. 4. Justices of Peace within every County and Corporation, have power in Sessions to give order for erection of Houses of Correction, and also for the maintenance and government of the same, and for the punishment of offenders, which shall be thither committed.

II. All Scholars and Sea-faring men which beg; All wandering persons which either beg, use unlawful Games and Playes, feign themselves to have skill in Physiognomy, Palmistry, or the like, or pretend to tell Fortunes; All persons that are, or pretend to be collectors for Goals, Hospitals, &c. All Fencers, Bearwards, common Players, and Minstrels wandring abroad, other than such as shall be authorized by Noble-men, under their hands and seals; All Jugglers, Tinkers, Pedlars, and petty Chapmen wandring abroad; All Labourers which wander and refuse to work for wages reasonably tried, having no living otherwise to maintain themselves; all persons delivered out of Goals, which beg for their Fees, or otherwise do travel begging, all which wander abroad begging, pretending loss by fire or otherwise; and all such persons (not being Felons) wandring and pretending themselves to be *Egyptians*, shall be adjudged Rogues, Vagabonds, and sturdy Beggars.

III. If any such Vagabond shall be taken begging, wandering, or misordering him or her self, he or she, by the appointment of any Justice of Peace, Constable, Headborough, or Tithing-man there, (the two last being assisted by the Minister, and one other of the Parish) shall be stripped naked from the middle upwards, openly whipped, till their body be bloody, and forthwith sent the next way from Parish to Parish, by the Officers of each Parish, towards the place of their birth: But if it cannot be known, then towards the place where they last dwelt, by the space of one whole year before such punishment; and if that cannot be known, then to the Town through which they last passed without punishment; and if it cannot be discovered where they were born, or last dwelt, as aforesaid, then are they to be conveyed by the Officer there, to the house of Correction, or common Goal of the County, to be imployed in work, or placed in some service, and so to continue by the space of one year; or in case they be not able in body, that Town is to keep them, till they may be placed in some Alms-house within the same County.

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IV. After which whipping, the Vagabond shall have a Testimonial under the hand and seal of the said Justice, Constable, Head-officer, Tything-man, and Minister, or any two of them, testifying the day and place of his punishment, the place to which he is to be conveyed, and the time limited for his passage thither; which time, if by his own default he exceeds, he shall from time to time incur the like punishment, till he arrive at the place limited; the substance of which Testimonial, shall be registred by the said Minister in a Book provided for that purpose, in pain of 5 s.

V. If any such Rogue seem dangerous, or will not be reformed, two Justices of Peace, (one of *Quorum*) shall commit him to the house of Correction; and if at the next Quarter-Sessions by the more part of the Justices there, he shall not be thought fit to be delivered, he shall by them be banished; and at the charge of that County, shall be conveyed to such parts beyond the Seas, as shall by six, or more of the Privy Council for that purpose be assigned, whereof the Lord Keeper or Treasurer to be one; or otherwise adjudged to the Gallies of the Realm, as the said Justices shall think fit: And if a Rogue so banished return without license, he shall suffer as a Felon, to be tryed in the County where he shall be apprehended.

VI. If a Constable, Headborough, or Tything-man, be found negligent in the due execution of this Act, they shall forfeit 10 s. for every default; and none shall make rescous against any Officer, or hinder the execution of this Law, in pain of 5 *l.* and to be bound to the good behaviour.

VII. None shall transport such a Rogue out of *Ireland*, *Scotland*, or the Isle of *Man*, (being born in any of these places) in pain to forfeit 20 s. to the use of the poor where he lands: And if any then shall be hereafter found in *England* or *Wales*, they shall suffer punishment, and be conveyed the next way home, as aforesaid; or (in case they came by Sea,) to the place where they landed, from whence they are to be transported, at the charge of that County, to the place from whence they came.

VIII. No impotent poor person shall pass to the *Bath*, or *Buxton*, without being licensed to pass by two Justices of Peace where they dwell, and provided with relief, both for their journey and abode there, and shall also return within the time limited by their license, in pain to be reputed and punished as Rogues: and the City of *Bath* or Town of *Buxton* shall not be chargeable with any such.

Justices

IX. Juſtices of Peace of the Counties, ſhall not intermeddle in Cities or Corporations, but only the Officers of the ſame, who ſhall have like power there, as the ſaid Juſtices have in Counties.

X. This Act ſhall not extend to reſtrain the power which the City of *London* hath in the Government of Saint *Thomas* Hoſpital in *Southwark*, or to prejudice any juriſdiction or inheritance of *John Dutton* of *Dutton*, in the County of *Cheſter* Eſquire.

XI. The forfeitures and fines which ſhall accrue by this Act (other then that above otherwiſe limited) ſhall be imployed for the maintenance of houſes of Correction, or the relief of the poor where the offence ſhall be committed, at the diſcretion of the ſaid Juſtices of Peace, and may be levied by warrant under the hands and ſeals of two Juſtices of Peace, by diſtreſs and ſale of goods: And here the confeſſion of the offender, or proof by two witneſſes before two ſuch Juſtices ſhall be ſufficient conviction.

XII. Two Juſtices of Peace, (one of *Quorum*) ſhall have full power to hear and determine all cauſes which may come in queſtion by reaſon of this Act.

XIII. The Lord Chancellor or Keeper for the time being, ſhall have power to make Commiſſioners to enquire of money given towards the erection or maintenance of houſes of Correction, ſtocks for poor, or other ſuch like uſes.

XIV. A Seafaring-man ſuffering ſhipwrack, not having wherewithal to relieve himſelf, and having a Teſtimonial under ſome Juſtice of Peace his hand and ſeal, near the place where he landed, declaring the time and place of his landing, the place of his dwelling or birth, unto which he is to paſs, and the time limited for his paſſage, may in the direct way home, and within the time ſo limited for his paſſage, ask and receive neceſſary relief, without incuring the penalties of this Act.

XV. This Act ſhall not extend to children under ſeven years old, nor to glaſs-men, which travel without begging, by licenſes under the hands and ſeals of three Juſtices of Peace, (one *Quorum*) of the County through which they travel.

XVI. **Stat.** 39 *El.* 17. Wandring Souldiers and Mariners, and all others, wandring as Souldiers or Mariners, which will not ſettle themſelves to work, or have not a Teſtimonial under the hand of ſome one Juſtice of Peace near the place of their landing, ſetting down the place where they landed, the place whither they are to paſs, and the time of their paſſage, or having a Teſtimonial, exceed the time therein limited, above fourteen days, or counterfeit Teſtimonial, or produce one which they know to be counterfeit, ſhall in

all

all theſe caſes, ſuffer as Felons, without benefit of Clergy.

XVII. Juſtice of Aſſize, Goal-delivery, and of Peace, in their Seſſions, have power to proceed againſt theſe offenders, as in caſe of Felony without Clergy, unleſs ſome ſufficient man (allowed by the Juſtices) will enter into Recogniſance of 10 l. to the Queen, to retain the offender for one whole year, and to bring him to the next Seſſions of Peace and Goal-delivery after the year ended. And if he within the year depart that ſervice without licenſe, he ſhall afterwards ſuffer as a Felon without Clergy.

XVIII. Souldiers and Mariners, which fall ſick in their paſſage home, ſhall be excuſed, though they exceed the time limited in their Teſtimonial, ſo that they perform this Act in convenient time after their recovery.

XIX. If, when they come home, they cannot get work, the two next Juſtices (upon their complaint) ſhall take order, that they may be provided of work, or otherwiſe ſhall tax the whole Hundred for their relief, untill work may be had.

XX. The Souldier or Mariner (licenſed by a Juſtice of Peace to whom he ſhall make his poverty known) having not wherewith to bear his charges home, may ask and take relief, ſo it be in his direct way home, and within the time limited by his licenſe.

XXI. Theſe offences ſhall cauſe no corruption of blood.

XXII. **Stat.** 1 *Jac.* 7. Noble Perſonages ſhall authorize none to go wandring abroad; and Glaſs-men ſhall be reputed and uſed as Rogues, notwithſtanding the Statute of 39 *El.* 4.

XXIII. Inſtead of baniſhing an incorrigible Rogue, or committing him to the Gallies (as was ordained by 34 *El.* 4.) he ſhall in open Seſſions be branded in the left ſhoulder with a burning iron, having a great Roman R. upon it as broad as a ſhilling: And from thence ſhall be ſent to the place of his laſt dwelling; if that cannot be known) to the place of his birth: After which time if he offend again, he ſhall ſuffer as a Felon, without benefit of Clergy.

XXIV. Every perſon that ſeeth or knoweth any Rogue to beg, ſhall convey or cauſe him to be conveyed to the next Conſtable or Tything-man, in pain of 18 s. to be levied and imployed as the forfeitures of 39 *El.* 4. and in default thereof, then by the Lord of the Leet, or his officer, in like manner as the perſons authorized by the ſaid Statute ſhould have levied and imployed the ſame. And here alſo if the Conſtable or Tything-man do not puniſh him according to that Statute, he ſhall forfeit 20 s. to be alſo levied and imployed, as by the ſame Statute is appointed.

This

XXV. This Act ſhall not prejudice the juriſdiction or inheritance of *John Dutton* of *Dutton* in the County of *Cheſter* Eſquire.

XXVI. **Stat. 7 *Jac.* 4.** There ſhall be an houſe of Correction provided in every Shire to ſet Rogues and other idle people to work.

XXVII. The Juſtices in Seſſions ſhall from time to time appoint a Governour for the ſaid houſe, who ſhall have power to ſet ſuch Rogues and idle people to work, and to puniſh them by moderate whipping or putting fetters or gives on them; which rogues and idle perſons ſhall not be chargeable to the Country, nor have other allowance than what they ſhall deſerve by their own labour.

XXVIII. The ſaid Juſtices ſhall at leaſt twice every year within their ſeveral diviſions (and oftner if need be) aſſemble and meet together for the better execution of this Statute, and ſome four or five dayes before their meeting, ſhall by warrant command the Conſtables and Tything-men of every Hundred, Town, and Hamlet, (being aſſiſted with other ſufficient men) to make a general privy ſearch in one night within their ſeveral Precincts, for the finding and apprehending of Rogues, &c. and ſuch as ſhall be found, to bring them to the ſaid meeting, to be examined, puniſhed, or ſent to the houſe or houſes of correction, there to be ſet to work.

XXIX. The ſaid Conſtables and Tything-men ſhall appear at the ſaid meeting, and there give an accompt upon oath in writing, under the Maſters hand, teſtifying the Rogues, &c. they have taken in the laſt ſearch, or ſince the laſt meeting, and how many have been puniſhed, or otherwiſe ſent to the houſe of Correction: Which if they neglect to do, or ſafely to convey ſuch to the houſe of Correction, as by the ſaid Juſtices Warrant ſhall be committed thither, they ſhall incur what fine the ſaid Juſtices ſhall pleaſe to ſet upon them, ſo it exceed not 40 s.

XXX. The Governors of the Houſes of Correction ſhall have ſuch a ſum of mony yearly, as ſhall be thought fit by the more part of the Juſtices of Peace in Seſſions, the ſame to be paid quarterly beforehand by the Treaſurers of the County, the Governors giving ſecurity for their continuance in the ſaid ſervice.

XXXI. If any lewd woman have a Baſtard which may be chargeable to the Pariſh, the Juſtices of Peace ſhall commit her to the houſe of Correction, there to be puniſhed, and ſet to worke one whole year: And if ſhe offend again, then is ſhe to be committed again, there to remain till ſhe put in good ſureties for the good behaviour, and not to offend ſo again.

Perſons

XXXII. Persons running away and leaving their charge to the Parish, shall be deemed and punished as incorrigible Rogues: And those that threaten so to do (it being proved by two witnesses upon oath before two Justices of Peace of the same division) shall be by the same Justices sent to the house of Correction, there to be punished as sturdy Rogues, (unless they put in sufficient Sureties to discharge the Town) and not to be delivered but at such a meeting, as aforesaid, or in open Sessions.

XXXIII. If the Governors shall not every Quarter-Sessions yield to the said Justices a true account of all such persons as shall be committed to their custody: or if they suffer any within their charge to make escape, or to be troublesom to the Country by going abroad, or otherwise, they shall incur what fine the same Justices in Sessions shall think fit to impose upon them.

XXXIV. All Fines which shall accrue by this Act (other then those already limited) shall be paid to the Treasurers of the County, and by them be accounted for.

XXXV. See Title, *Poor*, Numb. XLV. and XLVI.

Vestry-men. *Vid.* Religion, *Numb.* XXIII.

☞ Victual, Victuallers, Inholders and Hostlers.

* I. **Stat.** 12 *E.* 26. No person in any City or Burrough, which by reason of his Office ought to keep the Assizes of Wine and Victuals, as long as he shall be attendant upon his office, shall buy or sell Wines or Victuals, in pain to forfeit the same to the King, whereof the prosecutor shall have the third part of the King's gift.

* II. **Stat.** 23 E. 3. 6. All Butchers, Fishmongers, Regrators, Hostlers, Brewers, Bakers, Poulterers, and all other sellers of Victuals, shall sell the same at reasonable prizes, and for moderate gain in pain (upon proof of the contrary, before the Sheriff or the Kings Bailiffs, or before the Constables of the place, by the evidence of two true men) to forfeit the double value thereof to the party damnified, or (in his default) to him that will sue for the same: And all Majors, and Head-officers of Corporations have like power, and upon neglect of their duty herein, shall forfeit the treble value thereof to the party or prosecutor, as aforesaid; and besides shall incur

a fine to the King, to be impoſed by the Juſtices to be aſſigned by the King.

*III. Stat. 31 E. 3. 10. Every man that bringeth victual to *London* may freely ſell the ſame without the interruption or impeachment of any.

IV. The Mayor and Aldermen of *London* may rule and redreſs the defaults of Fiſhmongers, Butchers, and Poulterers, as they do of ſuch as ſell beer, ale, or wine, notwithſtanding any Franchiſe, Statutes, Cuſtome, or other privileg to the contrary: And they ſhall put the ſame in due execution, upon the pain ordained by the Statute of 28 E. 3. 10. *which ſee in* London.

*V. Stat. 6 R. 2. Stat. 1. 9. No Victualler in *London*, or any other City, Burrough, or Port of the Sea, ſhall exerciſe any judicial office there, and in caſe any be choſen in the places aforeſaid in ſuch office he ſhall forbear to uſe victualling, during the time he exerciſeth ſuch office, in pain to forfeit the victuals ſold.

VI. Stat. 6 R. 2. 10. Aliens (being in amity with the King and Realm) may bring in victual, and ſell the ſame in groſs, or by retail without the impeachment of any: See Stat. 11 R. 2. 7. 1 H. 4. 17. 14 H. 6. 6.

*VII. Stat. 7 R. 2. 11. All Vintners and Victuallers, as well Fiſhmongers as other comming with their victuals to *London*, ſhall be under the governance of the Mayor and Aldermen of that City, as hath been heretofore uſed.

*VIII. Stat. 13 R. 2. 8. Victuallers ſhall ſell their victuals at ſuch reaſonable prizes, as ſhall be ſet down by the Juſtices of Peace in two of their Seſſions to be holden betwixt *Eaſter* and *Michaelmas*, in pain to be puniſhed at the diſcretion of the ſaid Juſtices, where no pain is already limited in certain.

IX. And here Sheriffs, Stewards, Mayors, Bailiffs, and all others which have power to keep Aſſize of Bread and Ale, ſhall take no fine or Amerciament for any default touching the Aſſize, for which the offender ought by Law to have bodily puniſhment.

*X. Stat. 23 H. 6. 13. Juſtices of Peace ſhall twice every year cauſe all Statutes concerning Victuallers (before this time made) to be openly proclaimed in Seſſions.

*XI. Stat. 12 E. 4. 8. No perſon (other then Mayors, Bailiffs, Lords of Leets, or others in point of Charter) ſhall execute any office of ſearching or ſurveying of Wine, Ale, Beer, or any other victual, or of the correction of breaking the Aſſize thereof, in pain to forfeit 40 *l.* to be divided betwixt the King and the proſecutor.

And all Letters Patents of the King granted for that purpose shall be void.

* XII. **Stat.** 3 H. 8. 8. When a Victualler (in a City or Corporation) is chosen to bear an Office, by reason whereof he ought also to have the Assizing of victual, during that time, two other (being no victuallers) shall be joyned and sworn with him, truly to assess and set prizes and assizes of victual there, and they shall be sold accordingly: but here the Officers in *London*, *York*, and *Coventry* are excepted.

* XIII. **Stat.** 25 H. 8. 2. The prizes of victual in all places (except Corporations) shall be assessed by the Kings Councellors, Justices of either Bench, and some other great Officers: *For which see the Statute at large.*

XIV. Provided, that Head-officers in Corporations and others (having authority to prize victual) may still assess the prizes thereof, as if this Statute had not been made.

XV. No Corn, Beefs, Muttons, Veals, Porks, or other victual shall be transported beyond Sea, except for victualling of Ships, and barrelled butter, and meal to be carried into *Island*, in pain to forfeit the value thereof, to be divided betwixt the King and the prosecutor.

XVI. **Stat.** 2, 3 E. 6. 15. Butchers, Brewers, Bakers, Poulterers, Cooks, Costermongers, or Fruiterers, which conspire or promise together, that they will not sell their victuals, but at certain prizes, shall forfeit for the first offence 10 *l.* to the King: and if they pay it not within six dayes after conviction, they shall suffer twenty dayes imprisonment, and during that time shall have no sustenance but bread and water: for the second offence they shall forfeit 20 *l.* and that not paid within six dayes, as aforesaid, shall suffer the pillory: And for the third offence shall forfeit 40 *l.* and that not paid within the time above limited, shall again suffer the Pillory, lose one of their ears, and be ever after taken as men infamous, and not to be credited: and if such conspiracy be acted by the major part of a Company of such victuallers, their Corporation shall be thereupon dissolved.

XVII. Justices of Peace, Mayors, Bayliffs and Stewards, in Sessions, Leets, and Courts have power to hear and determine these offences.

* XVIII. **Stat.** 1, 2 P. M. 5. None shall transport beyond sea, or into *Scotland* any corn or grain of English growth, or malt made there, or any beer, butter, cheese, herring, or wood without lawful autho-

thority; in pain that the owner of the veſſel in which they are ſo tranſported ſhall forfeit his veſſel; the owner of the ſaid Commodity ſo tranſported, the double value thereof; and the Maſter and Marriners, all their goods, and ſuffer a years impriſonment without bail: Neither ſhall any convey by any veſſel any of the aforeſaid commodities to any other Ship or Veſſel to be tranſported, in pain to incur the like forfeitures and penalties.

XIX. The one moyety of the ſaid forfeitures ſhall accrue to the King and Queen, and the other to the proſecutor.

XX. In caſe the King and Queen, their heirs or ſucceſſors grant licenſe to tranſport ſuch commodities, the licenſed ſhall not tranſport more then the licenſe allows, in pain to forfeit the treble value thereof, and to ſuffer a years impriſonment without bail: And ſuch licenſe, ſhall ſhip the ſaid commodities at one and the ſame place, in pain to forfeit all his goods and chattels, to be divided as followeth, viz. the one moyety to the King and Queen, and the other to the proſecutor.

XXI. Juſtices of the Peace have power to examine all offenders againſt this Act, and to hear and determine (by the oaths of 12 lawful men) the offences committed againſt the ſame.

XXII. Provided, that when wheat ſhall not exceed the price of 6 s. 8 d. Rye of 4 s. and Barley of 3 s. 4 d. the quarter, it ſhall be lawful to tranſport them, notwithſtanding this Act: Neither ſhall this Statute impeach the neceſſary victualling of Ships, or the Admirals Juriſdiction: *Howbeit, as to the tranſportation of Corn, this Statute hath ſince been divers times altered by ſundry ſubſequent Acts*, viz. 13 El. 1 Jac. 25. and 21 Jac. 28. *and laſt of all, by* 3 Car. 4. *which ſee in* Corn, *and ſo it ſtands at this day.*

XXIII. **Stat.** 21 Jac. 21. The Statute of 32 H. 8. 41. together with other Statutes concerning horſe-bread is repealed.

XXIV. Inholders and Hoſtlers ſhall make no horſe-bread; ſhall ſell their hay, provender, and victuals at reaſonable prizes, and ſhall take nothing for Litter.

XXV. This Act ſhall not reſtrain thoſe that dwell in a Thorowfair (which is no Market-town, and wherein there is no Baker) to make horſe-bread, according to the juſt aſſize.

XXVI. Juſtices of *Oyer* and *Terminer*, Juſtices of Peace, Sheriffs in turns, and Stewards in Leets, have power to hear and determine theſe offences.

XXVII. If any Inholder, or Hoſtler, which hath power (by this Act) to make horſe-bread, obſerve not the Aſſize, or if he or any other offend this Law in any other kind whatſoever; for the firſt

offence they shall be fined, for the second suffer a months imprisonment without bail, for the third be set upon the Pillory, and for the fourth, shall be fore-judged from ever keeping an Inne again.

View.

I. West. 2. 48. 13 E. 1. View of Land shall not be granted, but where it is necessary: for example, if one lose land by default, and afterwards moveth for a Writ to demand the same Land; or when one by an exception dilatory abateth a Writ after view had, as by non-tenure, misnaming of the Town, or the like; In these cases, upon purchase of another Writ, view shall not be granted, if he had view in the first Writ: so in a Writ of Dower, when the Dower in demand is of Land, which the husband aliened to the Tenant, or his Ancestors, whereof the Tenant ought not to be ignorant: Here, albeit the husband dyed not seised, yet view shall not be granted to the tenant: Also in a writ of entry, which abated, because the Demandant misnamed the entry; here, if the demandant purchase another Writ of Entry, the tenant having had view in the first Writ shall not have it in the second: Likewise, in all Writs, where Lands are demanded by reason of a Lease made by the demandant or his ancestor to the tenant himself, being within age, *non compos mentis*, in prison, or the like, view shall not be granted, but if the demise were made to his ancestor, view shall lye, as hath been heretofore used.

II. Stat. *De visu terræ, & Essoin de servitio Domini Regis* 12. E. 2. View shall be granted in a writ of ward, of customs and services, of Advowson of a Church (*viz.* when there be more Churches then one in a Town, and all of one Saint) of Dower to be assigned, and of *Nuper obiit*.

Villenage.

I. The Statute of Purveyors, cap. 18. 25 E. 3. Notwithstanding adjournment made in *Eyre*, by writ, *de libertate probanda*, purchased in favour of Villeins to delay their Lords in their Actions for such Villeins, the Lord may in all Writs plead the exception of Villenage against them, whether such Writ were purchased by deceit, or otherwise: The Lords also may seize their bodies, as well

as

as they might have done before ſuch Writs *de libertate probanda* purchaſed.

II. **Stat.** 38 E. 3. 17. No Writ ſhall be abated by exception of Cognizance of Villenage, if the Demandant or Plaintiff will aver, that the party alledging the exception was free the day of the Writ purchaſed.

III. **Stat.** 9 R. 2. 2. Becauſe divers Villeins and Neifs did fly to *London*, and other enfranchiſed places, and there did feign divers ſuits againſt their Lords, with intent to make themſelves free by their Lords anſwers, it was ordained, that from henceforth no Lord ſhould be barred of his Villein becauſe of his anſwer in Law.

Union and ſevering of Churches.

I. **Stat.** 37 H. 8. 21. An Union or Conſolidation of two Churches in one, or of a Church and a Chappel in one, the one of them not being above the yearly value of 6 *l.* in the Kings books, nor diſtant from the other above a mile, may be had and made by the aſſent of the Ordinary, the Incumbents, and all ſuch as have a juſt right, title, and intereſt to the Patronages thereof, being of full age: And all ſuch Union and Conſolidation ſhall remain as good in Law, as if it had been ſo declared by writing under the ſeals of ſuch Ordinary, Incumbents, and Patrons.

II. All ſuch Unions heretofore made, are confirmed: Howbeit, the Kings tenths and Firſt-Fruits of ſuch Churches and Chappels already, or hereafter to be ſo conſolidated, are ſaved.

III. Such conſolidations ſhall not be in Corporate Towns without the conſent of the Magiſtrates thereof, declared in writing under their Common Seal.

IV. Provided, that where the Inhabitants of any ſuch Pariſh, or the more part of them, within a year after ſuch Union, by their writing ſufficient in Law, ſhall aſſure the Incumbent there and his ſucceſſors ſo much money yearly, which together with the value thereof in the Kings books ſhall amount to 8 *l.* that then ſuch union ſhall be void: Howbeit, this proviſo ſhall not extend to any ſuch Union made before this Statute.

V. **Stat.** 1 E. 6. 9. An Act for uniting certain Churches in *York*, with divers clauſes concerning that matter.

VI. **Stat.** 1 M. Parl. 1. 14. An Act for re-edifying the Church of St. *Ellens* in *Stangate* in *York*, which was demoliſhed by the former Statute. *See theſe Statutes at large.*

Universities.

I. Stat. 2, 3 P. M. 15. No Purveyor, Taker, Badger, Loader, or other Minister shall take or Bargain for any Victual or Grain in the Markets of *Oxford* or *Cambridg*, or in any part of the said City and Town, or within five miles compass of either of them without the consent of the owner, nor shall take away or bargain for any such commodity bought or provided within the said five miles by any common Minister of any Colledg or Hall there to be spent in such Colledg or Hall, in pain to forfeit the quadruple value thereof, and to suffer three Monthes imprisonment without bail.

II. The Chancellor, or Vice-Chancellor, or his Commissary in either of the said Universities with two Justices of Peace of the County adjacent have power to inquire, hear, and determine the said offences.

III. The forfeitures shall be divided betwixt the University where such offence is committed, and the prosecutor, and may be recovered in any Court of Record, or before the said Chancellor, Vice-Chancellor, or Commissary, and two Justices.

IV. This Act shall be suspended during the Queens presence, her Heirs and Successors, or within seven miles distance therefrom.

V. The Liberties of the Mayors, Bailiffs, and Communalties of *Oxford* and *Cambridg* are saved.

* VII. Stat. 13 El. 21. No Purveyor, Taker, Badger, Loader, Poulterer, or other Minister of the Queen, her heirs and successors, shall take or Bargain for any grain or other victual in either of the said Universities, nor within the compass of five miles from either of them, without licence of either of the said Chancellors or Vice-Chancellors, in writing under the seal of their Office, and not otherwise then as in the said licence is expressed, and so as the same give unto them no further power then they may lawfully use in other parts of the Countrey without the said five miles: neither shall they take away or bargain for any such commodity bought and provided for any Colledg or Hall to be spent within the same without such licence, as aforesaid, upon such pains and forfeitures, as by the Statute of 2, 3 *P. M.* 15. are ordained, and to like uses as are therein limited.

VII. The said Chancellors or Vice-Chancellors, with two Justices of Peace of the Universities, City, Town, or County, shall inquire,

quire, hear and determine the ſaid offences, as by the Statute of 2, 3. *P. M.* is appointed.

VIII. If any perſon within the ſaid five miles, refuſe to ſerve the Univerſities, then it ſhall be lawful for the Queens Purveyors to provide for the Queens uſe, any corn or victual of any ſuch perſon within the ſaid five miles, as ſhall be declared to the ſaid Purveyors, to be perſons not worthy of the ſaid priviledge, for not ſerving the Univerſities, by the Chancellor or Vice-Chancellor, with the conſent of two ſuch Juſtices as aforeſaid, under the hands and ſeals of the ſaid Chancellor, or Vice-Chancellor, and two Juſtices, in ſuch ſort as the ſaid Purveyors lawfully may in any other place without the ſaid five miles, and not otherwiſe.

IX. This Act ſhall be in ſuſpence, during the Queens preſence there, or within ſeven miles diſtance.

X. The Liberties of the Majors, Bailiffs, and Communalties of *Oxford* and *Cambridge* are ſaved.

Voucher.

I. **Warlb.** 29. 52 H. 3. None vouched to Warranty before Juſtices in *Eyre*, in plea of land, ſhall be amerced, becauſe he was not preſent, when he was vouched, except it be the firſt day of the coming of the Juſtices; but if the party be within the County, the Sheriff ſhall cauſe him to come in within three or four dayes; and if out of the County, he ſhall have ſummons of 15 dayes at leaſt.

II. **Weſt.** 1. 39. 3. E. 1. In Writs of Poſſeſſion, as *Mortdanceſter*, Coſinage, *Ayel*, *nuper obiit*, intruſion, or the like, whereby land is demanded, which ought to deſcend, revert, remain, or Eſcheat by the death of any Anceſtor, or otherwiſe, if the tenant vouch to Warranty, and the demandant will counter-plead him, and aver, by aſſize or by the Countrey, as the Court ſhall award, that the tenant or his Anceſtor (whoſe heir he is) was the firſt that entred after the death of him, of whoſe ſeiſin he demandeth, this averment ſhall be received, if the tenant will abide thereupon; but if not, he ſhall be compelled to another anſwer, unleſs he have his Warrantor preſent, who will immediately enter into the Warranty: And then alſo, the demandant may have the like exception againſt the Vouchee, as he had againſt the firſt tenant.

III. In a Writ of Entry in the degrees none ſhall vouch out of the line.

IV. In Writs of right and of poſſeſſion (as before) it is alſo a good counter-plea, that neither the Vouchee nor his Anceſtors had

ever ſeiſin of the land, or any thing in the ſervices by the hand of the tenant or his anceſtors, from the time of the ſeiſin, whereof the demandant declares, until the Writ purchaſed, ſo that he might a feofment make to the tenant or his anceſtors; and this averment of the demandant ſhall be alſo received, if the tenant will abide thereupon; but if not, the tenant ſhall be compelled to another, as before, unleſs the Vouchee be preſent, and will immediately enter into Warranty, and then alſo the demandant may have like exception as before.

V. If the Tenant have a deed, that compriſed Warranty of another man, his recovery by a Writ *de Warrantia carta*, out of the Chancery ſhall be ſaved to him: howbeit the plea ſhall not be delayed by reaſon thereof.

VI. **The Stat. of Glocester** 12. 6. E. 1. If a man impleaded for a tenement in *London*, vouch a foreigner to Warranty, he ſhall have a Writ out of the Chancery, to ſummon the Warrantor at a certain day before the Juſtices of the Bench, and another to the Mayor and Bailiffs of *London*, to ſurceaſe the matter before them, until the plea of the Warranty be determined in the Bench, and when the plea at the Bench ſhall be determined, then ſhall the Vouchee be commanded to go into the City to anſwer the chief plea, and a Writ ſhall alſo be awarded at the Demandants ſuit by the Juſtices to the Mayor and Bailiffs, to cauſe them to proceed in the plea: And if the Demandant recover againſt the tenant, the tenant ſhall come before the Juſtices of the Bench, who ſhall direct a Writ to the Mayor and Bailiffs, to cauſe the land ſo loſt by the tenant to be extended and valued, and to return that extent at a certain day unto the Bench, and after the Sheriff of the County (where the Warranty was ſummoned) ſhall be commanded to deliver to the Voucher land of the Vouchee anſwerable in value to the land that the Voucher hath loſt: *See a correction and ſome inlargement of this Statute*, 9 E. 1.

VII. **Weſt.** 1. 6. 13. E. 1. As the tenant ſhall loſe the land in demand, in caſe where his Vouchee diſchargeth himſelf of the Warranty, ſo alſo ſhall the Vouchee loſe, where he denieth the Warranty, and it be tried againſt him: Alſo, where an Enqueſt is depending between the tenant and his Vouchee, and the Demandant will require a Writ to cauſe the Jury to come, it ſ[illegible]l be granted him.

VIII. **The Statute of Vouchers**, 20 E. 1. This counterplea of Voucher, *viz.* that neither the Vouchee nor his Anceſtors, had ever any thing in the land, ſo that he might a feofment make with Warranty,

ranty, shall be received, albeit the Vouchee be ready to enter into Warranty.

IX. **Stat.** 14 E.3.18. Where the tenant voucheth to Warranty a dead-man, the Demandant shall be received, to aver, that the Vouchee is dead, and that there is none such.

Upholsters.

* I. **Stat.** 11.H.7.19. None shall put to sale in Fairs or Markets any Featherbeds, Bolsters, or Pillows, except such as are stuffed with one sort of stuff, *viz.* dry pulled feathers, or clean down, and not with scalded feathers, fen-down, or any other unlawful corrupt stuff, in pain to forfeit the same: Howbeit any (for their private use) may make or cause to be made any such unlawful stuff or wares, so as the same be not exposed to Sale in Fairs or Markets, upon the like pain.

II. Also Quilts, Mattresses, and Cushions, shall be stuffed with one sort of stuff only, *viz.* clean wooll, or clean flocks, and not with horse-hair, Fen down, Nets-hair, Goats hair, or other unlawful stuff, in pain to forfeit the same.

* III. **Stat.** 5. 6 E.6.23. None shall make (to the intent to sell or offer to be sold) any Fether-bed, Bolster, or Pillow, except the same be stuffed with dry pulled feathers or clean down only, without mingling of scalded feathers, Fen-down, Thistle-down, Sand, Lime, Gravel, or other unlawful or corrupt stuff, in pain to forfeit the same (so offered to be sold) or the value thereof.

IV. None shall make (to the intent to sell or offer to be sold) any Quilt, Mattress, or Cushions, stuffed with any other stuff, then feathers, wool, or flocks alone, in pain to forfeit the same (so sold or put to sale) or the value thereof.

V. The Forfeitures aforesaid are to be divided betwixt the King and the Prosecutor.

Uses.

I. **Stat.** 1. R.3.1. All grants, conveyances, recoveries, and other assurances made by *Cestuy que use* (being of full age, *compos mentis*, and at large) shall be good against him, and all others claiming as his heir or heirs or to his use: But here, the right of all others is saved.

II. **Stat.** 1. H.7.1. The Demandant in a *Formedon* (in descender or remainder) may have his Action against the Pernor of the profits,

profits, and ſuch Pernor ſhall have ſuch Voucher, Lyen, aids, prayer, and all other advantages as he ſhould have if he were tenant indeed, or his Feoffors ſhould have, if the action were brought againſt them: And if ſuch Pernor happen to die, his heir being within age, his heir ſhall alſo have his age, and all other advantages, as if his anceſtor had died ſeiſed of the land in demand: Alſo all recoveries had againſt ſuch Pernors, their Heirs or their Feoffees, or Cofeoffees and their heirs, ſhall be as good as if ſuch Pernors were tenants indeed, or feoffees to their uſe, at the time of ſuch actions brought.

III. **Stat. 3. H. 7. 4.** All Deeds of gift of goods and Chattels made in truſt to the uſe of the grantor ſhall be void.

IV. **Stat. 19. H. 7. 15.** The Sheriff or other Officer having a Writ to execute upon lands againſt any perſon upon any Judgment, Statute, or Recogniſance, may deliver Execution to the Plaintiff of all lands and tenements whereof any other is ſeiſed to the uſe of him, againſt whom execution is ſo ſued.

V. Alſo the heir of *Ceſtuy que uſe* of land in ſoccage, ſhall pay relief, Herriot, and all other duties to the Lord of the Fee, as if his anceſtors had died ſeiſed thereof.

VI. Howbeit, upon ſuch execution ſerved, as aforeſaid, *Ceſtuy que uſe* ſhall have all ſuch advantage as he might have, if he were ſeiſed of the land.

VII. *Ceſtuy que uſe* being a bond man, the land may be ſeiſed by his Lord.

VIII. **Stat. 27. H. 8. 10.** Where any perſon or perſons ſtand or be ſeiſed of any Honours, Mannors, Lands, Tenements, Rents, Services, Reverſions, Remainders, or other Hereditaments, to the uſe, confidence, or truſt of any other perſon, or perſons, or of any body politick, by reaſon of any bargain, ſale, feofment, fine, recovery, covenant, contract, agreement, will, or otherwiſe: In every ſuch caſe, every ſuch perſon and perſons, and body politick, having ſuch uſe, confidence or truſt, in fee-ſimple, fee-tail, for life, or years, or otherwiſe, or any uſe, confidence, or truſt, in remainder, or reverter, ſhall ſtand and be ſeiſed, deemed and adjudged in lawful ſeiſin, eſtate, and poſſeſſion of and in the Honours, Caſtles, *&c.* with their appurtenances, of and in ſuch like Eſtates, as they have in uſe, truſt, or confidence, of or in the ſame: And the eſtate, title, right, and poſſeſſion of ſuch perſon or perſons, as are ſeiſed of any Lands, Tenements, or Hereditaments, to the uſe, confidence, or truſt of any ſuch perſon or perſons, or body politick, ſhall be deemed and adjudged to be in him or them, that have ſuch uſe, con-

confidence, or truſt of any ſuch quality, manner, form, and condition, as they had before, in or to the uſe, confidence, or truſt, that was in them.

IX. When divers perſons are ſo ſeiſed to the uſe, confidence, or truſt of any of themſelves, they amongſt them that have ſuch uſe, or truſt ſhall likewiſe have the ſeiſin, eſtate, and poſſeſſion, in ſuch quality, manner, and condition, as they had the uſe or truſt.

X. Howbeit, the right, title, *&c.* of all other, (except of the perſons ſo ſeiſed to any uſe or truſt) is ſaved, and all former right, title, *&c.* is alſo ſaved to them.

XI. Where any be ſeiſed to any uſe or intent, that another ſhall have a yearly rent out of the ſame lands, *Ceſtuy que uſe* of the rent ſhall be deemed in the poſſeſſion thereof, of like eſtate as he or ſhe had that uſe, and ſhall diſtrain for non-payment of the ſaid rent, and make Avowries, Conuſances, and Juſtifications, and uſe all other remedies therein, as if the ſaid rent had been actually granted to ſuch *Ceſtuy que uſe*.

XII. Where an eſtate is made in poſſeſſion or uſe to husband and wife, and his heirs or the heirs of their two bodies, or of one of their bodies, or to them for their lives, or for the wives life for her Joynture, in any of theſe caſes, ſhe ſhall not have dower: Howbeit, upon a lawful eviction of that Joynture, ſhe ſhall be endowed, according to the rate of her husbands land, whereof ſhe was dowable.

XIII. Such a Joynture being made after Marriage, the wife (after her husbands death) may refuſe it, and betake her to her dower, unleſs ſuch Joynture be made by Act of Parliament.

XIV. Provided, that this Act ſhall not extinguiſh, releaſe, diſcharge, or ſuſpend any Statute, Recognizance or other bond, by the execution of any eſtate ſetled by force of this Act.

XV. All Wills and Teſtaments heretofore made, or hereafter to be made before the firſt of *May* 1536. ſhall be good in law, in ſuch manner, as they were commonly taken and uſed within 40 years before the making of this Act.

XVI. The King ſhall not take advantage by occaſion of the executing of any eſtate by Authority of this Act, before the firſt of *May*, 1536. *viz.* by having or demanding any *primer ſeiſin*, livery, *Ouſter le main*, fine for alienation, relief, or Herriot: but after that time fines for alienations, reliefs, and herriots ſhall be paid to the King, and alſo liveries, and *Ouſter le mains* ſhall be ſued for uſes, truſts, and confidences, which ſhall be from thenceforth made and executed

cuted in poſſeſſion by force of this Act, neither ſhall any other Lord demand or take any fine, relief, or herriot, by occaſion of this Statute, before the ſaid firſt of *May*, 1536.

XVII. This Act ſhall not be prejudicial to any perſon or perſons born in *Wales* or the Marches thereof, who have any eſtate to them, executed by force of this Act, in any lands in this Realm, whereof any other perſon now ſtands ſeiſed to their uſe; but ſuch perſon or perſons born there may lawfully have and keep all ſuch lands by authority of this Act, according to the tenor thereof.

☞ Uſury.

* I. **Stat.** 37 H.8.9. None ſhall ſell his wares or merchandize to any, and within three months after buy the ſame again at a leſſer price, knowing them to be the ſame wares, or buy any corrupt bargain of wares, money, or other thing; or buy any Mortgage of land, and take in gain, for giving day of payment, more then according to the rate of 10 *l. per centum* for one whole year, in pain to forfeit the treble value of the profits of ſuch lands mortgaged, to be divided betwixt the King and the proſecutor, and beſides, ſhall ſuffer impriſonment, and make fine at the Kings will.

II. **Stat.** 13 *El.* 8. All Bonds, Contracts, and Aſſurances upon Uſury, in lending or doing any thing contrary to the Statute of 37 H.8.9. ſhall be void, and all Brokers and Soliciters thereof, ſhall be adjudged and uſed as Counſellors, Attorneys, or Advocates, in any caſe of *Præmunire*.

III. He that takes no more then after the rate of 10 *l. per centum* or leſs, ſhall only forfeit the intereſt, to be recovered and imployed as the forfeitures of 37 *H.*8.9.

IV. Juſtices of *Oyer* and *Terminer*, of Aſſize, and of Peace in their Circuits and Seſſions, and Mayors, Sheriffs, and Bailiffs of Cities, have power to hear and determine all offences committed againſt 37 *H.*8.9.

V. The Statute of 37 *H.* 8. 9. ſhall be conſtrued largely and ſtrongly againſt the party offending by any way or device directly or indirectly.

VI. This Act ſhall not extend to any allowances or payments for the finding of Orphans, according to the ancient rates of *London*, or of any other City where order is taken for their cuſtody and goods, as in *London*.

VII. The offender againſt the Statute of 37 *H.* 8. 9. may alſo be puniſhed by the Eccleſiaſtical Laws.

Stat.

VIII. **Stat.** 21 *Jac.* 17. None ſhall upon any contract, directly or indirectly take for the loan of any money or other commodities above the rate of 8 *l. per centum*, for one whole year, in pain to forfeit the treble value of the money, or other things lent.

IX. No Scrivener, Broker, or Solicitor, ſhall take or receive directly or indirectly for Brokage above the rate of 5 s. for the loan of 100 *l.* for one whole year, nor above 12 *d.* for making a Bond, in pain to forfeit 20 *l.* to be divided betwixt the King and the proſecutor, and alſo to to ſuffer ſix moneths impriſonment.

X. **Stat.** 12 *Car.* 2. *cap.* 13. None ſhall upon a contract directly or indirectly take for the loan of any money, wares, merchandiſes, or other Commodities above the rate of 6 l. *per Cent.* for loan of a 100 l. for a year, and ſo proportionably upon pain to forfeit treble the value of the money or other things lent.

XI. No Scrivener, Broker, or Solicitor, ſhall take or receive for brocage above the rate of 5 s. for the loan of 100 l. for a year, nor above 12 *d.* for making a bond, upon pain of forfeiture of 20 l. to be divided between the King and the proſecutor, and to ſuffer half a years impriſonment.

Wager of Law.

I. **Magna Cart.** 28. 9 *H.* 3. NO Bailiff ſhall put any man to his open Law, or to an oath, upon his own bare ſaying, without faithful witneſſes brought in for the ſame.

II. **Stat.** 38 *E.* 3. 5. Any man may wage his Law (by ſufficient people of his condition) againſt *Londoners* papers, and the Creditor ſhall take ſurety otherwiſe, if he pleaſe, but ſhall not put the party to plead to the Enqueſt, unleſs he will ſo do of his own accord.

III. **Stat.** 5 *H.* 4. 8. In Actions of debt upon the arrearages of an account, feigning (to the intent to put the Defendants from their law) that the ſame was found before their Apprentices or ſervants, as Auditors aſſigned therein, it ſhall be in the Judges diſcretion upon examination of the Attorneys (or whom elſe they pleaſe) to receive the Defendants to their law, or to try the ſame by Inqueſt.

Wales.

I. *The second Volume of the Book of Old Statutes is a long Act made* Anno 12 E. 5. *entituled,* Statuta Walliæ, *whereby it appeareth, that* Wales *was then incorporated and united to* England, *and there you shall also find many good Laws concerning the division of* Wales *into Counties, Trials and Division of Actions, together with divers forms of Writs, and the proceeding thereupon much like to the Laws of* England; *For all which, see there that Act at large.*

II. **Stat.** 28 *E.* 3. 2. All Lords of the Marches of *Wales* shall be perpetually attending and annexed to the Crown of *England,* as they and their Ancestors have been in times past, and not to the Principality of *Wales,* in whose hands soever the same shall come.

III. **Stat.** 9 *H.* 4. 4. No Thief or Felon in *Wales* (openly known) shall be suffered to disclaim out of the Seigniory, where the Felony was committed. But such manner of disclaimer, shall be from henceforth utterly put out: and such Thieves shall be put to answer to Indictments and other accusations in the Seigniory, where they are taken, without being delivered by disclaiming or Letters of Marque.

IV. **Stat.** 2 *H.* 5. *Stat.* 2. 5. If a Welsh-man that doth forcibly take and detain an English-man until he be ransomed, will not upon process awarded against him by the Justices, appear and answer the same untill he be outlawed; the Justices shall certifie the same under their seals to the Officers of the Seigniories, where such outlaw is, who shall apprehend and do execution upon him, according to the Law. *But this is now altered by* 27 H. 8. 26. *which see after.*

V. **Stat.** 26 H. 4. 8. Forthwith upon the charge given to an Enquest in *Wales,* or the Marches thereof, upon any traverse against the King, or trial of any recognizance broken, or any forfeiture due to the King, or upon trial of any murderer, felon, or accessary, an officer or other person shall be deputed and sworn in open Court for the true keeping of the Jurors, who (without special order of the Court) shall not suffer them to have any bread, drink, meat, fire, or light, nor to speak to any person whatsoever; nor speak to them himself, before they are agreed upon their verdict, unless it be only to ask them, whether or no they are agreed; and all this such Keeper shall observe, in pain to be imprisoned and fined, at the discretion of the Court.

Here,

VI. Here, if the Jurors give any untrue verdict againſt the King, contrary to good and pregnant evidence, or otherwiſe miſdemean themſelves, the Lord Preſident and Council (upon complaint thereof) have power to convent them before the ſaid Council, and to puniſh them at their diſcretions.

VII. By Stat. 26 H.8.6. All perſons dwelling in *Wales* or the Marches thereof, upon warning of any Court to be kept within their reſpective limits, ſhall appear there in proper perſon to do their ſervice in pain of ſuch Fines, forfeitures, and amerciaments, as ſhall be aſſeſſed upon them by the reſpective Courts, where they owe ſuch ſervice, to be levied by diſtreſs, to the uſe of the King within his Lordſhips there, and of other Lords marchers within theirs.

VIII. If any Steward or other Officer there do feign any untrue ſurmiſe againſt any perſon that ſhall ſo appear, as aforeſaid, and thereupon commit him to priſon, contrary to Law, or the cuſtom of that Lordſhip, the Commiſſioners or Council (upon complaint) have power to ſend for ſuch Steward or Officer, and if upon good proof it be found that the party was ſo impriſoned without lawful cauſe, they ſhall aſſeſs ſuch Steward or Officer to pay him 6 *s.* 8 *d.* for every day of his impriſonment, or more at their diſcretions, as the damage ſhall deſerve; the Commiſſioners ſhall alſo fine him to the Kings uſe, whether he appear or not, and may compell him by impriſonment to pay ſuch fines and penalties both to the King and the party grieved.

IX. None in *Wales* or the Marches thereof, coming to any Seſſions or Court there, ſhall bring or cauſe to be brought thither, or to any other place within two miles thereof, or to any Town, Church, Fair, Market, or other Congregation, except upon a Hue and Cry, or into the High-way, affray of the Peace of the Kings People, any Bill, Low-Bow, Croſs-bow, hand-gun, Sword, Staff, Dagger, Halbert, Moreſpike, Spear or any other Weapon, Privy Coat or Armour, in pain to forfeit the ſame, unleſs it be by the command or licenſe of the Juſtices, a Steward, or other Officer, or of the Commiſſioners or Council there.

X. None, without the Commiſſioners licenſe in writing, ſhall there, or in the Counties thereto adjoyning, require or levy any *Commorth Bydal*, Tenants Ale, or other collection, or exact any money, goods, or other thing, under colour of marriage or ſuffering of their children ſaying or ſinging their firſt Maſſes, or Goſpels of any Prieſts or Clerks, or for the redemption of any murder or other felony, or for any other cauſe whatſoever, or ſhall make or procure

to

to be made any games of running, wraſtling, leaping, or any other games, the game of ſhooting only excepted, in pain to ſuffer a years impriſonment, and to be fined at the diſcretion of the Commiſſioners, who ſhall by this Act have power to hear and determine the ſaid offences: Neither ſhall any caſt any Arthell into any Court there, by reaſon whereof it may be letted or diſcontinued at that time, in pain to ſuffer a years impriſonment.

XI. Courts in *Wales*, and the Marches thereof, ſhall be kept in the moſt ſure and peaceable places of each Lordſhip Marcher, where the Juſtice, Steward, or other Officer thereof ſhall appoint.

XII. Juſtices of Peace and Goal-delivery in the Counties next adjoyning to *Wales*, where the Kings Writ runneth, may hear and determine the offences of counterfeiters, waſhers, clippers, or diminiſhers of Coin, and all felonies, and their acceſſaries, committed in *Wales* or the Marches thereof; And acquittal or fine making for any of the ſaid offences in any Lordſhip marcher, ſhall be no barr for any perſon or perſons indicted for the ſame within 2. years next after ſuch offence committed.

XIII. The ſaid Juſtices of Peace and Goal-delivery have power to award all manner of Proceſs, as well of Outlawry as otherwiſe, againſt every ſuch offender, and ſhall ſend to the Lord or Officer of the Lordſhip, where the offender is reſiant, a Certificate under the ſeals of two of them at leaſt, of any ſuch outlawry, or attainder, commanding him under the pain of 100 *l.* to be forfeited to the King, to apprehend, or cauſe to be apprehended, the body of ſuch offender, and ſafely to keep him, untill ſuch convenient time before the next Goal-delivery of the County, where he was ſo outlawed, as ſhall be thought fit for his conveyance thither, and then he ſhall be conveyed from marcher to marcher by the Lords or Officers thereof, to the ſaid next Seſſions of Goal-delivery of the County, where he was ſo outlawed, as aforeſaid. And here, the Lords marchers and Officers aforeſaid, by whom he is ſo to be conveyed, ſhall not be negligent herein, in pain to forfeit (each of them ſo making default) 100 *l.* to be levied to the Kings uſe: Alſo the ſaid Lords or other Officers ſhall at the ſaid Seſſions make due return of ſuch Certificate, upon the like pain: Howbeit here, all traverſes, challenges, exceptions, advantages, and all other Pleas upon any ſuch outlawry are ſaved to the offender.

XIV. Here, an offender attainted of Felony as Principal or acceſſary, upon ſurety found for the good behaviour, may (for one time only, by the aſſent of the Preſident and two Commiſſioners) be diſcharged, and admitted to a Fine, to be levied for the King's uſe,

uſe, ſo as no appeal be then depending againſt him for ſuch offences.

XV. Provided, That this Act ſhall not extend to abridg the liberty of any Lord Marcher, unleſs ſuch offender be outlawed, or attainted by force of this Act within two years after the offence committed.

XVI. All Felonies and their acceſſaries committed in the County of *Merioneth* ſhall be inquired, heard and determined in the Counties of *Carnarvan* or *Angleſey*, before the Juſtice of *North-Wales*, or his Deputy by Enqueſt of *Carnarvan* and *Angleſey*, or otherwiſe, at the diſcretion of ſuch Juſtice or his Deputy.

XVII. All Officers and their Deputies upon command of the Commiſſioners or Council ſhall bring, ſend, or deliver every offender in Felony to the Officer of the Lordſhip marcher, or other place where the offence was committed, upon the bounds of ſuch Lordſhip, or to the ſaid Commiſſioner or Council, as ſuch Officers ſhall be commanded, in pain of 40 *l.* which command ſhall be ſent by a Serjeant at Arms, or a Purſuivant, then attendant upon the ſaid Council.

XVIII. ☞ Stat. 27 H.8.7. All the Kings Subjects and friends may paſs freely on horſeback or on foot, and with Cattel, Wares, or otherwiſe, through all or any of the Foreſts in *Wales*, without payment of any unlawful exactions, or ſuffering any other damage whatſoever: And no Foreſter or other ſhall commit any ſuch offence, in pain to be tryed for the ſame as Robbers, before the Juſtices of Peace of the Shire adjoyning.

XIX. Cattel, which ſtray into any Foreſt there, and are challenged within a year and a day by the right owner, ſhall be re-delivered unto him upon demand; and if the Foreſter or other officer, or farmer there refuſe to re-deliver them, they ſhall forfeit to ſuch owner double the value of ſuch cattel, and he may have an Action of *Detinue* for the recovery of them, to be tryed in the County next adjoyning; in which action like Proceſs of outlawry ſhall be had, as in an Action of Treſpaſs at the Common Law.

XX. Stat. 27 H.8.26. *Wales* ſhall be incorporated, united, and annexed to and with *England*, and all perſons born there ſhall enjoy all Liberties, as other Subjects in *England* do; alſo Lands ſhall deſcend there according to the Engliſh Laws, and not after the form of any Welſh Laws or Cuſtoms.

XXI. The Laws and Statutes of this Realm and none other ſhall be had and uſed, and executed in *Wales* in like manner, as in this Realm, and as ſhall be farther declared by this Act.

XXII. Divers Lordſhips Marchers are united to Engliſh Counties, others to Welſh Counties, and the reſidue are divided into new particular Counties by themſelves, *viz. Monmouth, Breknoke, Radnor, Mountgomery,* and *Denbigh.*

XXIII. The County of *Monmouth* ſhall conſiſt of theſe Lordſhips, Townſhips, Pariſhes, Commotes, and Cantredes, *viz. Monmouth, Chepſtow, Maberne Llanthangel, Magor, Goldecliff, Newport, Wenlong, Llanwerne, Caerlion, Uske, Trelecke, Tinterne, Skinfreth, Grouſmount, Witecaſtle, Raglan, Calicote, Biſton, Abergavenny, Penroſe, Greenfield, Maghen,* and *Hochuyſtade*; all which ſaid places ſhall be hereafter guildable, and reputed as parts and members of the County of *Monmouth*, whereof *Monmouth* ſhall be reputed the Shire-town; And the Sheriff of the County ſhall keep his County-court at *Monmouth*, and *Newport, alternis vicibus.*

XXIV. All Actions for lands and other things may be laid and ſued in the County of *Monmouth*, and tried there by Aſſize or *Niſi prius*, and *Venire facias*; and all other proceſs may be awarded thither by the Juſtices: Alſo the Inhabitants there ſhall be obedient to the Kings Officers and Laws, and the Sheriffs and Eſcheators of that County ſhall perform their duties, and render account in the Eſchequer, as is uſed in or for any other County of *England.*

XXV. The Lordſhips, Towns, *&c.* to be reputed members of *Breknoke*-ſhire ſhall be *Breknoke*, *Creckehowel, Tretoure, Penkelly,* Engliſh *Talgarth*, Welſh *Talgarth, Dians*, the *Hay, Glinebogh, Brynlles, Canterbely, Lando, Blainlilby, Eſtrodew, Buelthe*, and *Lingros*: Alſo the Shire-town ſhall be *Breknoke*, and the Shire-court ſhall be kept there.

XXVI. The Lordſhips, Towns, &c. of *Radnorſhire* ſhall be, New-*Radnor, Eliſherman, Elvelles, Bonghred, Glaſebury, Glawdiſtre, Mihelles* Church, *Meleneth, Blewagh, Knighton, Norton, Preſton, Cammorhader, Rayder, Gwethronyon*, and *Stonage*: Here alſo New-*Radnor* ſhall be the Shire-town, and the County or Shire-court ſhall be holden at New-*Radnor*, and *Rother Gwy* in the ſame County, *alternis vicibus.*

XXVII. Thoſe of *Mountgomeryſhire* ſhall be, *Mountgomery, Cedwenkery, Cawryland, Aruſtely Kivilliocke, Doythur, Poweſland, Clunstand, Baleſte, Tempceſter*, and *Alceſtre*: Whereof *Mountgomery* ſhall be the Shire-town, and the County-court ſhall be holden there, and at *Maghenteth* in the ſame County, *alternis vicibus.*

XXVIII. Thoſe of *Denbighſhire* ſhall be *Denbyland, Ruthin*, Saint *Kynllethowen, Bromfield, Yale, Chirk, Chickland, Molesdale*, and *Hopesdale*: The Shire town alſo ſhall be *Denbigh*, and the County-court

ſhall

shall be holden at *Denbigh* and *Wrexham* in the said County, *alternis vicibus*.

XXIX. The King shall yearly appoint Sheriffs, Escheators, and other Officers accomptants for the Counties for *Breknoke*, *Radnor*, *Mountgomery*, and *Denbigh*, and shall have a Chancery and Exchequer at *Breknoke*, where the said Officers of the Counties of *Brekenoke* and *Radnor*, shall yearly accompt before such Auditors, Chamberlain and Baron, as the King shall appoint for that purpose; There shall be also another Chancery and Exchequer at *Denbigh*, where the said Officers of the Counties of *Mountgomery* and *Denbigh* shall also accompt before such Auditors, Chamberlain, and Baron, as aforesaid.

XXX. Justice shall be administred and executed in the Counties of *Breknoke*, *Radnor*, *Mountgomery*, and *Denbigh*, according to the Laws and Statutes of *England*, and such other customs and laws now used in *Wales*, as the King and his Council shall allow, by such Justice, or Justices, as shall be thereunto appointed by the King, and after such manner, as Justice is administred in the Counties of *North-wales*.

XXXI. In the marches of *VVales*, there shall be made guildable and annexed to the County of *Salop*, the Lordships, Towns, Parishes, Commotes, Hundreds and Cantredes of *Oswestrie*, *VVhetington*, *Masbroke*, *Knoking*, *Ellesmer*, *Down*, and *Cherbury* Hundred: Here also *Oswestrie*, *VVhetington*, *Masbroke*, and *Knoking*, shall be known by the name of the Hundred of *Oswestrie*, and the Inhabitants thereof shall be attendant at Sessions, Assizes, and Goal-delivery, as the Inhabitants of other hundreds within the said County of *Salop* use to do: Also *Ellesmer cum membris*, shall be united to the Hundred of *Pimhill in Com. Salop*, and the Inhabitants thereof shall be attendant, as aforesaid: Likewise the Lordship of *Down cum membris*, shall be united to the Hundred of *Cherbury in Com. Salop*, and the Inhabitants thereof shall give their attendance, as aforesaid: Howbeit, neither the said Hundreds of *Cherbury* or *Oswestrie*, nor the Lordship of *Ellesmer* shall be hereby otherwise priviledged, than as Hundreds annexed to the County of *Salop*, as other Hundreds be within the said County.

XXXII. In like manner, the Lordships Towns, Hundreds, *&c.* annexed to the County of *Hereford*, are *Ewyas Lacy*, *Ewyas Harold*, *Clifford*, *Winsorton*, *Yerdesley*, *Huntington*, *Whitney*, *Wigmore*, *Logharneis*, and *Stepluton*, whereof *Wigmore* and *Logharneis*, with their members shall be called the Hundred of *Wigmore*: and *Ewyas Lacy*, *cum membris*, the Hundred of *Ewyas Lacy*; but *Ewyas Harold* shall be united

to the Hundred of *Webtree* in *Com. Hereford*, and *Clifford*, *Winforton*, *Yerdtesley*, *Whitney*, and *Huntington*, ſhall be called the Hundred of *Huntington*: Here alſo the Inhabitants ſhall be attendant at Seſſions, Aſſizes, and Goal-delivery holden for the County of *Hereford*, but theſe Lordſhips, *&c.* ſhall claim no priviledge but as Hundreds, or members of Hundreds of the ſame County.

XXXIII. Likewiſe the Lordſhips, Towns, and Pariſhes of *Wollaſton*, *Tidman*, and *Becheby*, and all Honours, Lordſhips, Caſtles, Lands, Tenements, and Hereditaments, lying between *Chepſtow*-Bridge and *Gloceſterſhire*, ſhall be annexed to the County of *Gloceſter*, as part thereof, and ſhall be parcel of the Hundred of *Weſebury* in that County: Alſo the Inhabitants thereof ſhall be attendant, as aforeſaid, and ſhall claim no priviledge but as Hundreders of the Hundred of *Weſebery* aforeſaid.

XXXIV. *Gowerwilney*, *Biſhops town*, *Landaffe*, *Signithe ſupra*, *Signithe ſubtus*, *Miskin*, *Ogmore Glencothney*, *Tallagarn*, *Ruchien*, *Tallavan*, *Lambelthion*, *Lantwid*, *Tyerial*, *Avan*, *Neth*, *Landway*, and the *Clays*, ſhall be Guildable, and united to the County of *Glamorgan*; and juſtice ſhall be adminiſtred in *Glamorganſhire* (*ſo united*) according to the Laws of *England* (as in the three Counties of *North-Vales*) and not according to the Welſh Laws.

XXXV. *Lanemthevery*, *Abermeles*, *Redwely*, *Elkenning*, *Cornwolthen*, *Newcaſtle*, *Emlin*, and *Abergoyly* ſhall be Guildable, and annexed to the County of *Caermarthen*; where alſo Juſtice ſhall be adminiſtred as aforeſaid.

XXXVI. *Haverfo d weſt*, *Kilgaran*, *Lanſteffan*, *Langherne*, alias *Tellanghern*, *Walwinſcaſtle*, *Dewis-land*, *Lanny haddein*, *Lanfrey*, *Herberth*, *Slebeche*, *Roſmarket*, *Caſtellan*, and *Lland of Loure*, ſhall be Guildable and annexed to the County of *Pembroke*, wherein Juſtice ſhall be adminiſtred as aforeſaid.

XXXVII. *Tregarn*, *Genergliu*, *Landwy* and *Urency* ſhall be Guildable and united to the County of *Cardigan*, and there alſo juſtice ſhall be adminiſtred as aforeſaid.

XXXVIII. *Mountway* ſhall be Guildable, and annexed to the County of *Merioneth*, in *North-Vales*, as a commote, or part thereof.

XXXIX. All Juſtices, Commiſſioners, Sheriffs, Coroners, Eſchetors, Stewards and their Lievetenants, and all other Officers and Miniſters of Law ſhall proclaim and keep Seſſions, Courts, Hundreds, Leets, County-Courts, and all other Courts in the Engliſh tongue, and all oaths of Officers, Juries, and Enqueſts, and all Affidavits, Verdicts,

dicts, and Wagers of Law shall be given and done in the same tongue.

XL. None that use the Welsh language, shall have or injoy any office or fees in any of the Kings Dominions, but shall forfeit them unless he use the English.

XLI. The Sheriffs of *Monmouth*, *Breknoke*, *Radnor*, *Mountgomery* and *Denbigh*, shall put every unruly person under common Mainprize, as the Sheriffs of the three Counties of *North-VVales* use to do.

XLII. The Sheriff of *Monmouth* shall certifie such recognizances, common mainprize, and surety of apparence at every quarter-Sessions of that County, and the persons so bailed shall appear at the two Sessions holden at *Easter* and *Michaelmas*, until they be released.

XLIII. The Sheriffs of *Breknoke*, *Radnor*, *Mountgomery*, and *Denbigh*, shall certifie such recognizances, *&c.* before such Justice as the King shall appoint, at every Sessions to be holden in the said Counties.

XLIV. All persons under bail for appearance in the Counties of *Breknoke*, *Radnor*, *Mountgomery*, *Denbigh*, *Glamorgan*, *Caermarthen*, *Pembroke*, and *Cardigan*, (either by the Sheriffs or Justices of those Counties) shall appear before the said Justices at every Sessions, as is used in the three Counties of *North-VVales*.

XLV. The lay and temporal Lords Marchers shall have the moity of every such recognizance forfeited within their respective Precincts, to be paid them by the Sheriff, (if he can levy them) who is also to answer the other moity to the King in the Exchequer upon his account.

XLVI. The Lord Chancellor shall (forthwith after this Parliament) direct a Commission under the great seal for the division of the Counties of *Caermarthen*, *Pembroke*, *Cardigan*, *Monmouth*, *Brekenoke*, *Radnor*, *Mountgomery*, *Glamorgan* and *Denbigh*, into convenient Hundreds to be returned into the Chancery, and there to remain of Record, which shall be of like force as an Act of Parliament.

XLVII. Commissions also shall issue forth to inquire after the Welsh Laws and Customs, and such of them as shall be thought fit (by the King and Council) to be continued, shall stand and be in full force, notwithstanding this Act.

XLVIII. Two Knights for the County, and one Burgess for the Burrough of *Monmouth* shall be chosen to serve in Parliament.

XLIX. Also, one Knight shall be chosen for each County of *Breknoke*, *Radnor*, *Mountgomery*, and *Denbigh*, and for every other County

in *VVales*, and for every Burrough, being a Shire-town, (except the Shire-town of *Merioneth*) one Burgeſs.

L. The ſaid Knights and Burgeſſes ſhall be elected, and enjoy like priviledges and fees, as Knights and Burgeſſes of *England*: And the Knights fees ſhall be levied of the Commons of each County, and thoſe of the Burgeſſes, as well of the Shire-towns, whereof they be Burgeſſes, as of all other ancient Burroughs within the ſaid reſpective Counties.

LI. All Lords Marchers ſhall enjoy all ſuch liberties, miſes, and profits as they had, or uſed to have at the firſt Entry into their lands in times paſt, notwithſtanding this Act.

LII. The Laws and Cuſtoms of the three Counties of *Northwales*, and of the County Palatine of *Lancaſter* are ſaved.

LIII. This Act ſhall not extend to derogate any other Act heretofore made for the trial of treaſon, murther, or felony, or acceſſaries thereunto, committed in any Lordſhip Marcher in *VVales*, or in any Court of *England* next adjacent thereunto.

LIV. Lands by the Cuſtom partable amongſt males ſhall ſo continue, notwithſtanding this Act.

LV. The King hath power (within three years) to ſuſpend or repeal this Act: As alſo (within 5 years) to erect as many Courts (of Record or others) and to appoint as many Juſtices and other Officers in *VVales*, as he ſhould think fit.

LVI. **Stat. 33 H. 13.** *Hope*, *Aſaph*, *Hawarden*, *Moldeſdale*, *Mereford*, and *Oſeley*, ſhall be reputed to be within the County of *Flint*, as part thereof, and not in any other County. Howbeit, they ſhall pay their taxes with the Inhabitants of ſuch Shire or Shires, as hath been formerly accuſtomed.

LVII. Alſo *Hope*, *Modeſdale*, *Mereford*, *Oſeley*, and *Hawarden*, ſhall be called the Hundred of *Modeſdale*, in the County of *Flint*; and *Aſaph* ſhall be reputed parcel of the Hundred of *Ruthland* in the ſame County.

LVIII. **Stat. 34, 35. H. 8. 26.** *VVales* ſhall be divided into twelve Counties, whereof eight were ancient Counties, *viz.* *Glamorgan*, *Caermarthen*, *Pembroke*, *Cardigan*, *Flint*, *Carnarvan*, *Angleſey*, and *Merioneth*; alſo four other were made by the Stat. of 27 H. 8. 26. viz. *Radnor*, *Brekneke*, *Mountgomery*, and *Denbigh*, beſides the County of *Monmouth*, and divers Lordſhips united to the Counties of *Salop*, *Hereford*, and *Gloceſter*.

LIX. The limitations of Hundreds lately made within the ſaid Counties by Commiſſion out of the Chancery, and again returned thither, ſhall ſtand in force, except ſuch of the ſame, as have been

been ſince altered by any Act, and ſhall be altered by this.

LX. There ſhall remain a Preſident and Council in *VVales*, and the Marches thereof, with officers and incidents thereunto as hath been uſed, which Preſident and Council ſhall hear and determine ſuch cauſes, as ſhall be aſſigned to them by the King, as heretofore hath alſo been uſed.

LXI, Seſſions ſhall be kept twice a year in the Counties of *Glamorgan*, *Breknoke*, *Radnor*, *Caermarthen*, *Pembroke*, *Cardigan*, *Mountgomery*, *Denbigh*, *Carnarvan*, *Flint*, *Merioneth*, and *Angleſey*, which Seſſions ſhall be called the Kings great Seſſions.

LXII. The Juſtices of *Cheſter* ſhall hold Seſſions twice a year in the Counties of *Denbigh*, *Flint*, and *Mountgomery*, for his old Fee of 100 *l. per Annum.*

LXIII. The Juſtices of *North-VVales* ſhall do the like in the Counties of *Carnarvan*, *Merioneth*, and *Angleſey*, and ſhall have a Fee of 50 *l. per annum.*

LXIV. A perſon learned in the Law (to be appointed by the King) ſhall be Juſtice in the Counties of *Radnor*, *Brekcoke*, and *Glamorgan*, and ſhall likewiſe hold Seſſions twice a year, and have for his Fee 50 *l. per annum.*

LXV. Another ſuch perſon (to be appointed as aforeſaid) ſhall be Juſtice in the Counties of *Caermarthen*, *Pembroke*, and *Cardigan*, and ſhall hold Seſſions, and have fee as aforeſaid.

LXVI. The ſaid Juſtices ſhall have Commiſſions under the great Seal for their Offices, to be executed by themſelves or their Deputies.

LXVII. Theſe Juſtices may hold pleas for the Crown, in as large manner as the Lord chief Juſtice, or the other Juſtices of that Bench may do, and alſo pleas of Aſſizes, and all other pleas and actions, real, perſonal, and mixt, in as large manner as the Chief Juſtice of the Common Pleas, or the other Juſtices of that Court may do.

LXVIII. They ſhall alſo enquire, hear, and determine, all criminall offences whatſoever, committed within their ſeveral limits, and adminiſter common juſtice to all the Kings Subjects there, according to the Laws, Statutes, and Cuſtoms of *England*, and this preſent Ordinance.

LXIX. The ſaid Seſſions ſhall each of them hold ſix days, as hath been uſed in *North-wales*, and notice thereof ſhall be given (by Proclamation) fifteen days (at leaſt) before they keep the ſame.

LXX. Dayes ſhall be given in all Pleas, Plaints, Proceſs, and adjournments from day to day, and Seſſions to Seſſions, at the diſcretion

cretion of the ſaid Juſtices, for the good and ſpeedy adminiſtration of Juſtice.

LXXI. The ſeal for the three Counties of North-*Wales*, viz. *Merioneth*, *Carnarvan*, and *Angleſey*, ſhall remain in the cuſtody of the Chamberlain of North-Wales. The ſeal for *Carmarthen*, *Pembroke*, and *Cardigan*, with the Chamberlain of South-Wales. That for *Breknoke*, *Radnor*, and *Glamorgan*, with the Steward and Chamberlain of *Breknoke*. That for *Denbigh* and *Mountgomery* with the Steward and Chamberlain of *Denbigh*. And that for *Flint* with the Chamberlain of *Cheſter*.

LXXII. The ſaid Stewards and Chamberlains ſhall with the Seals, Seal all Original Writs and Proceſs, returnable before the Juſtices at the Seſſions as aforeſaid, and ſhall anſwer the profits thereof to the King: But none of them, or any Chancellor ſhall by occaſion of keeping ſuch Seals, compel any perſon, inhabiting in any of the ſaid 12 Shires, to appear before themſelves or their Deputies, or hear or determine any pleas, or cauſes whatſoever, otherwiſe then as by this Ordinance is limited: And ſuch writs and proceſs ſhall be returned before the ſaid Juſtices, as hath been uſed before the Juſtice of North-Wales.

LXXIII. All that ſhall be Stewards, Chamberlains, or Chancellors within any of the ſaid twelve Shires, having Offices of Receipt, Collection, or account of any of the Kings Rents, Revenues, or profits there, may direct proceſs under the ſaid Seal (being in their charge) within the limits of their Authorities, againſt Bailiffs, Reeves, Farmers, and other Miniſters accomptant, to appear before themſelves for any ſuch Rents, Revenues, Farms, or Profit, as hath been heretofore uſed: But for nothing elſe, nor to any other perſon.

LXXIV. The Stewards alſo may hold Leets, Law-dayes, or Court Barons of the Lordſhips whereof they are Stewards, and alſo pleas by plaint under 40 s. in every ſuch Court-Baron, and have and enjoy all authorities and profits thereunto belonging, notwithſtanding any Law or Cuſtome in Wales to the contrary: Howbeit neither they, nor Sheriffs ſhall have power to enquire of Felonies in any ſuch Leet, Law-day, or Turn: Neither ſhall they keep any Leet, or Law-day, but in ſuch places where they were uſed to be kept, before the Statute of 26 H. 8. 6. So as the place be convenient for the keeping of ſuch Courts.

LXXV. Mayors, Bailiffs, and Head-Officers of Corporate towns in *Wales* may hold pleas, and determine Actions; ſo as they obſerve the Laws of *England*, and not Welſh Laws or Cuſtoms: They may alſo

alſo try iſſues by ſix men (as in divers places hath been uſed) notwithſtanding this Act.

LXXVI. The King may within ſeven years diſſolve Boroughs in *Wales*, and erect others there by his Letters Pattents.

LXXVII. Officers certain fees (appearing in the Kings Letters Pattents) ſhall continue, but not their caſual fees, claimed by colour of their offices, any Cuſtome in *Wales*, or this Act to the contrary notwithſtanding.

LXXVIII. Each Juſtice ſhall alſo have a judicial ſeal to ſeal all bills and judicial proceſſes ſued before them in the Seſſions, whereof the firſt ſhall remain with the Juſtice of *Cheſter*, for *Flint*, *Denby*, and *Mountgomery*: The ſecond with the Juſtice of North-*Wales*: The third with the Juſtice of *Glamorgan*, *Breknoke*, and *Radnor*: And the fourth with the Juſtice of *Pembroke*, *Caermarthen*, and *Cardigan*: Alſo every ſuch Juſtice ſhall accompt and anſwer to the King the profits of the ſeal in his cuſtody, as ſhall be hereafter declared: And the *Teſte* of every bill and proceſs, that paſſeth under ſuch ſeal, ſhall be under the name of the Juſtice that iſſueth it out, as is uſed in the Common-Pleas in *England*.

LXXIX. All Actions real and mixt, attaints, conſpiracies, Aſſizes, *Quare Impedits*, appeals of murder and felony, and all actions grounded upon any Statute, ſhall be ſued by Original Writs ſealed with the Original Seal, and returnable before the Juſtices at their Seſſions; but all perſonal actions, as debt, detinue, treſpaſs, account, and the like, amounting to the ſum of 40 s. or above, ſhall be ſued by ſuch Writs original, or by bills, at the election of the Plaintiff as is uſed in North-*Wales*.

LXXX. All perſonal actions under the ſum of 40 ſhillings, may be ſued by original Bill, (as is alſo uſed in North-*Wales*) ſealed by the judicial ſeal remaining in the cuſtody of the Juſtice.

LXXXI. The Fee for ſealing every original Writ upon the cauſes aforeſaid, and for every Bill in Actions perſonal (when the debt and damages amount to 40 s. or above) is ſix pence, and for every judicial proceſs, ſued upon any ſuch original Writ, or bill ſeven pence, whereof the King ſhall have ſix pence, and the Juſtice one penny. And for every bill in perſonal actions, when the debt and damages amount not to forty ſhillings, and for every judicial proceſs to be ſued upon the ſame, 3 d. whereof the King is to have 2 *d.* and the Juſtice 1 *d.*

LXXXII. All Writs of *Scire facias*, and writs of *Good Abearing*, or for the Peace, or writs of *Superſedeas* upon the ſame, and all other proceſs ſued before the Juſtices upon any Record or Suggeſtion

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ſhall be ſealed with the Judicial Seal, for which the Plaintiff ſhall pay ſeven pence; whereof the King is to have ſix pence, and the Juſtice 1 d.

LXXXIII. Every exemplification upon any Record ſhall be Sealed by the Judicial Seal, for which the Plaintiff ſhall pay 20 pence, whereof the King is to have 16 pence, and the Juſtice four pence.

LXXXIV. Recoveries and Fines, Concords and Warrants of Attorney for the ſame, may be taken before the ſaid Juſtices of lands, tenements, and hereditaments within their authority, by force of his general Commiſſion without any *dedimus*, as is uſed before the Chief Juſtice of the Common-Pleas.

LXXXV. All fines levied before any of the Juſtices with Proclamation made the ſame Seſſions: it ſhall be engroſſed, and in two other great Seſſions then next following, ſhall be of the ſame force, as Fines levyed with Proclamations before the Juſtices of the Common-Pleas.

LXXXVI. Every perſon ſuing Writs of Entry in the *Poſt*, or Writs of Covenant, or any other Writs, for any recovery to be had (by aſſent or otherwiſe) or for any fine to be levied, ſhall pay fines to the Kings uſe for the ſame (as well fines *pro licentia concordandi*, as all other fines) as is uſed in Chancery or elſwhere in the Kings Courts of *England*, which fines ſhall be paid to ſuch perſons as ſhall Seal the Original Writs for that purpoſe, who ſhall accompt for the ſame, as they do for the profits of the ſaid Original Seal.

LXXXVII. Alſo, the Kings ſilver (upon every ſuch fine) ſhall be paid, as is uſed in the Common-Pleas of *England*, *viz.* 2 *s.* and ſhall be received by the Juſtice, before whom ſuch fine is levied, whereof the King ſhall have 16 d. the Prothonotary for entring it, 2 *d.* and the Juſtice the reſt, who ſhall accompt for the Kings profit, as he doth for the profits of the Judicial Seal.

LXXXVIII. The four ſaid Juſtices ſhall have each of them a Prothonotary to attend upon them, for the entring of all Pleas, Proceſs, and matters of Record in Seſſions, to be holden before the ſaid Juſtices.

LXXXIX. There ſhall be a Marſhal and a Crier in every of the ſaid Circuits to be named by the ſaid Juſtices as Juſtices of Aſſize in *England* uſe to do, which Officers ſhall attend upon the ſaid Juſtices in their Circuits in proper perſon, and not by Deputy.

XC. The Marſhall ſhall have upon every judgment, and every fine 4 d. and the Cryer 1 d. and the like fees ſhall be paid upon the acquittal of felons, and of ſuch as be delivered by Proclamation, or out of common mainpriſe.

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XCI. Here also are set down the fees that the Prothonotaries shall take for Writs, Entries, Judgments, &c. *for which see the Statute at large.*

XCII. The King shall have all fines, issues, amerciaments, and recognizances forfeited, which the Prothonotaries shall yearly estreat into the Exchequer appointed for that limit, that process may be awarded to the Sheriff to levy them for the Kings use, which Sheriffs shall yearly accompt before the Kings Auditors, to be thereunto assigned.

XCIII. Besides the President, Council, and Justices aforesaid, there shall be Justices of Peace and *Quorum*, and also one *Custos Rotulorum* in every of the said 12 Counties, who shall be appointed by the Chancellor of *England* by Commission under the Great Seal, with the advice of the President, Council, and Justices aforesaid, or three of them, whereof the President to be one.

XCIV. There shall not be more then 8 Justices of Peace in any of the said 12 Shires, besides the President, Council, and Justices, aforesaid, and the Kings Attorney and Sollicitor, all which persons shall be also put in every such Commission.

XCV. These Justices of Peace shall be of good name and fame, and may exercise their Office, albeit they have not 20 l. *per annum*, or be not learned in the Law; but before they shall execute their Commission, they shall take such Oath, as Justices of Peace in *England* use to take, before the Chancellor of *England*, or else before the President, or one of the same Justices of *Wales* by *dedimus*, or before some other to be appointed by the Lord Chancellor for the purpose.

XCVI. The said Justices of Peace, or two of them at least (1. *Qu.*) shall keep their Sessions four times in the year, and at other times also upon urgent cases, as Justices of Peace in *England* use to do; for which they shall also have such allowances for themselves and their Clerks, as the Justices in *England* have.

XCVII. Here, the fee for a Warrant of the peace or good abearing is 6 d. for entring of pledges to pay the King a fine upon an indictment 9 d. and if it be with protestation 12 d. for a *Supersedeas* 8 d. and for a recognizance 12 d.

XCVIII. These Justices of Peace shall certify Recognizances taken before any of them for the Peace and good abearing, into the next Sessions: but Recognizances taken before them for suspition of Felony shall be certified before the Justices at the next great Sessions without concealing them, upon such penalties, as be therefore ordained.

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XCIX. All Fines and Amerciaments loſt before the Juſtices of Peace ſhall be aſſerted by two of them at leaſt (1. *Qu.*) and ſhall be duly ſet without partiality.

C. All ſuch fines and amerciaments, as alſo all iſſues loſt, forfeited recognizances, and other forfeitures before the ſaid Juſtices of Peace ſhall be yearly eſtreated by the Clerks of the Peace into the Exchequer, appointed for that limit; to the end that proceſſes may be thereupon awarded for the levying of them for the Kings uſe to the Sheriff of every County, who ſhall account before ſuch Auditors as ſhall be thereto aſſigned, which Auditors ſhall make due allowance unto the Sheriffs upon their accompts, for the fees of the Juſtices and Clerks of the Peace, as is uſed in *England*.

CI. The Preſident, Council, and Juſtices of *Wales*, or three of them at leaſt (whereof the Preſident to be one) ſhall yearly nominate three able perſons in every of the ſaid twelve Shires, to be Sheriffs thereof, and ſhall certify their names to the Lords of the Privy Council *Craft. Animarum*, to the end the King may appoint one of them in every of the ſaid Shires, to be Sheriff for that year, like as is uſed in *England*: And thereupon the ſaid Sheriff ſhall have their Pattents under the Great Seal of *England*, and ſhall make oath and acknowledg recognizances before the Preſident and Juſtices, or one of them by a *Dedimus*, for the due execution of their Offices, and for their juſt accompt before the Kings Auditors aſſigned for *Wales*.

CII. The ſaid Sheriffs have power to uſe their Offices, as Sheriffs of *England* do; ſhall be obſervant to all lawful commands and Precepts of the Preſident, Council, Juſtices of *Wales*, Juſtices of Peace, Eſcheators, and Coroners, and every of them in all things appertaining to their Offices; ſhall yearly accompt to the Auditor or Auditors, aſſigned by the King for *VVales*, and ſhall each of them have yearly for his fee 5 *l.*

CIII. All Officers and other perſons in *VVales* ſhall be obedient, attendant, and aſſiſting to the Preſident, Council, and Juſtices of *Wales*, and ſhall obey the Kings commands and proceſs, from any of them directed, and all lawfull and reaſonable precepts of them and every of them; and alſo ſhall be obedient to all Juſtices of Peace, Sheriffs, and Eſcheators, within their ſeveral limits in all things appertaining to their duties and offices.

CIV. Alſo Eſcheators ſhall be named in every of the ſaid Counties by the Treaſurer of *England*, with the advice of the Preſident, Council, or three of them, whereof the Preſident to be one; which

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Eſcheators ſhall make oaths and acknowledg Recognizances before the Preſident, or one of the Juſtices, by a *Dedimus*, for the due execution of their Offices, and for their true account before the Kings Auditor, or Auditors, to be aſſigned for that purpoſe, which oath and recognizance ſhall be agreeable to thoſe uſed for Eſcheators in *England*.

CV. Such Eſcheators ſhall yearly have their Pattents under the Great Seal, and ſhall exerciſe their Offices as Eſcheators in *England*, and ſhall be bound to all Laws and Statutes of *England*: But they need not have above 5 *l. per annum* free-hold, and ſhall accompt yearly before ſuch Auditor or Auditors as the King ſhall aſſign for *Wales*.

CVI. There ſhall be alſo two Coroners elected for each of the ſaid 12 Shires, by the Writ *De Coronatore Eligendo*, awarded out of the Chancery of *England*; which Coroners ſhall exerciſe their Offices, and have like fees as in *England*: Only the Writ *de Cor. elig.* for the County of *Flint* ſhall be directed out of the Exchequer of *Cheſter*.

☞CVII. The Juſtices of Peace or two of them (1. *Qu.*) ſhall appoint in every hundred (within their limits) two ſubſtantial Gentlemen or Yeomen to be chief Conſtables of the Hundred, where they dwell, who ſhall preſerve the Peace, and uſe their Offices, and be bound in all things, as High-Conſtables in *England*.

CVIII. The Sheriff ſhall have a Goal in a place of the Caſtle of the Shire-town, or ſuch other convenient place, as by the Preſident, Council, and Juſtices, or three of them (whereof the Preſident to be one) ſhall be appointed, any Patent or Grant notwithſtanding. The Sheriff alſo ſhall make Bailiffs of the Hundred, who ſhall attend upon the Juſtices at their Courts and Seſſions.

CIX. Sheriffs ſhall keep their Counties Monthly, and their Hundred-Courts for pleas, under 40 *s.* and ſhall take for entring of plaints proceſs, pleas, and judgments there, as is uſed in *England*, and not above. Alſo all tryals in ſuch Courts, or before Stewards in Court Barons, ſhall be by Wager of Law, or verdict of ſix men, at the election of the party, Plaintiff, or Defendant, that pleads the plea.

CX. Sheriffs ſhall hold their Turns yearly after *Eaſter* and *Michaelmas*, as is uſed in *England*.

CXI. The King ſhall have all Fines, Iſſues, Amerciaments, and Forfeitures loſt in the ſaid Courts and Turnes, to his own uſe, and the Sheriff ſhall account for the ſame accordingly, having been firſt aſſered by the Juſtices of Aſſize of that Circuit, before they be levied; And the Sheriff ſhall not levy them before they be ſo aſſered,

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in pain to forfeit to the King 40 *s.* Also the Sheriff upon every Judgment in his County or Hundred Court, may award a *Capias ad satisfaciendum*, or a *Fieri facias*, at the election of the Plaintiff.

CXII. Certain fees, which the Sheriff is to have for the return and execution of divers writs, *For which see the Statute at large.*

CXIII. Every Sheriff within this limit may put suspitious persons under common main-prise, according to the Statute of 37 H. 8. 26. (*which see before*) binding them with two sufficient Sureties by recognizance, to appear before the Justices at the next great Sessions, and shall then also certify the names of the parties so bound, without concealment.

CXIV. The Sheriffs fee for taking such common main-prise, is 2 *d.* but he shall take no fee for the return of any writ of execution, unless he return the same executed.

CXV. The fees of Sheriffs, Escheators, and Coroners, and their Ministers, Prothonotaries, and their Clerks, and other Ministers of Justice in *Wales*, shall be rated, augmented, and diminished by the President, Council, and Justices, or three of them, whereof the President to be one, from time to time at their discretions.

CXVI. None for murder or felony shall be put to his fine, but suffer, according to the Laws of *England*, except it please the King to pardon him; And if the Justices see cause of pity; or other consideration, they may reprieve the prisoner, till they have advertised the King of the matter.

CXVII. The Statute of the 26 H. 8. 6. (*which see before*) is confirmed, notwithstanding this Act; and from henceforth shall be put in execution.

CXVIII. *Abertannad* heretofore reputed parcel of the County of *Merioneth*, shall now be annexed to *Salop*, and be reputed parcel of the Hundred of *Oswestry*.

CXIX. If any forreign plea, or voucher be pleaded, or made before any of the Justices of *Wales*, tryable in any other County in *Wales*; in this case, the said Justice shall send the Kings Writ, with a transcript of the Record, unto the Justice of the County where the matter is tryable, commanding him to proceed to the tryal thereof, according to Law, which tryal being had, he shall remand it with the whole record unto the Justice that sent it, who thereupon shall proceed to Judgment, as the cause shall require: but if such plea or voucher be tryable in *England*, the Justice of *Wales*, before whom they are pleaded or made, may proceed to tryal thereof in such County of *Wales*, where they are so pleaded or made, such forreign plea or voucher notwithstanding.

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CXX. All Lands, Tenements, and Hereditaments in *VVales*, and in the Lordſhips and places annexed (by the Statute of 27 H. 8. 26.) to the Counties of *Salop*, *Hereford*, *Glocester*, or any other Shires ſhall be Engliſh tenure, and not partable amongſt heirs males, according to the Cuſtome of *Gavelkind*.

CXXI. No Mortgages of lands, &c. made in any of the ſaid Counties or places, ſhall be hereafter allowed or admitted otherwiſe, than after the courſe of the Common-Law and Statutes of *England*.

CXXII. It ſhall be lawful for all perſons to alien their Lands, &c. in *VVales*, the County of *Monmouth*, and other places annexed as aforeſaid, from them and their heirs to any perſon or perſons in Fee-ſimple, fee-tail, for life, or years, according to the Laws of *England*, notwithſtanding any Welſh Law or Cuſtome to the contrary.

CXXIII. If any perſon having lands in *VVales* be bound in *England* by a Statute-Staple or Recogniſance, and pay not the debt accordingly; in ſuch caſes, upon certificate into the Chancery of *England*, Proceſſes ſhall be made to the Sheriffs of *VVales* out of the ſaid Chancery, for the due levying of the ſaid debt, as is uſed in *England*: Howbeit, for ſuch Recognizances as are taken in the Kings Bench, or Common Pleas of *England*, Proceſſes ſhall be purſued immediately from the Juſtices of the ſaid Courts, as in *England* alſo is uſed.

CXXIV. All ſuch Writs, Bills, Plaints, Pleas, Proceſs, Challenges, and Trials, ſhall be uſed throughout all the Shires aforeſaid, as are uſed in North-*VVales*, or as ſhall be deviſed by the Preſident, Council and Juſtices, or three of them, whereof the Preſident to be one.

CXXV. Where there ſhall be ſome Suits in Pleas perſonal, which cannot be well tryed before the Juſtices in the great Seſſions, for ſhorteſs of time, ſuch iſſues may be tryed at the petty Seſſions before the Deputy-Juſtices, as is uſed in the three Counties of North-*VVales*, ſave only for ſuch Suits, as by the diſcretion of the ſaid Juſtices ſhall be neceſſary to be tryed before themſelves: Howbeit, there ſhall be no ſuit taken before any of the ſaid Juſtices by Bill, under the ſum of 20 s.

CXXVI. No other Liberties, Franchiſes, or Cuſtoms ſhall be uſed or claimed in any Lordſhip, which was anciently part of *Wales* (whoſoever be owner or owners thereof) but only ſuch as be given to the Lords thereof by force of the Statute of 27 H. 8. 26. and not altered by this Act, notwithſtanding the *Stat.* of 32 H. 8. 20. *which ſee in Franchiſes.*

If

CXXVII. If any murther or felony be committed in *Wales*, the party or parties grieved shall make no agreement with the offender, or with any other in his behalf, unless he first acquaint the President, Council, or Justices therewith, in pain of imprisonment and grievous fine at the discretion of the President, Council, and Justices, or two of them, whereof the President to be one; the like punishment also they shall incur, that labour or procure such agreement, although it never take effect.

CXXVIII. If any person, or they whose estate he hath, have peaceable possession of Lands in *Wales* by the space of 5 years, without interruption or lawful claim, such person shall continue the same, untill they be recovered from him by law or decree of the President or Council there.

CXXIX. If in personal actions pursued before the Justices nine of the Jury be sworn, and the residue make default, or be tryed out, in that case the Sheriff may return other names *de circumstantibus*, until the Jury be full, as is used in North-*Wales*, and elsewhere in such cases.

CXXX. No sale of goods or cattel stollen in *Wales*, and sold in any Fair or Market there, shall alter the propriety thereof, such sale notwithstanding.

CXXXI. No person shall buy any quick cattel in *Wales* out of the Fair or Market, unless he can produce credible witness of the person, place, and time, he so bought the same, in pain of such punishment and fine, as shall be set by the President and Council, or any of the Justices in his Circuit, and to answer it at his further peril.

CXXXII. If any goods or cattel be stollen in *Wales*, the tract shall be followed from Town to Town, and Lordship to Lordship, according to the Laws and Customs heretofore used in *Wales*, upon such penalty as hath been heretofore accustomed.

CXXXIII. Any man (being a Freeholder) may pass upon a Jury in all causes both criminal and civil, attaint only excepted, saving to every man his lawful challenge, according to the Laws of *England*. Howbeit none shall pass in attaint, unless he have Freehold of 40 *s. per annum*.

CXXXIV. Tenants and resiants in *Wales* shall pay their Tallage at the change of their Lords in such places, and after such form, as hath been accustomed in *Wales*.

CXXXV. The Kings Subjects in *Wales* shall find at the Parliaments in *England*, Knights for the Counties, and Citizens and Burgesses for the Cities and Towns, to be chosen by the Kings Writ, according

according to the Statute of 27 H.8.26. and ſhall alſo be chargeable to all Subſidies, and other charges granted by the Commons of the ſaid Parliaments, and pay all other rents, farms, cuſtoms, and duties to the King, as hath been accuſtomed, fines for redemption of Seſſions only excepted, which the King is pleaſed to remit.

CXXXVI. *Haverford*-weſt ſhall find one Burgeſs for that Town, whoſe charges ſhall be born by the Mayor, Burgeſſes, and Inhabitants of the ſaid Town, and by none other.

CXXXVII. The King ſhall have all Felons goods, goods of perſons outlawed, Waifs, Eſtrays, and all other forfeitures and eſcheats, and ſhall be anſwered thereof by the Sheriffs, ſaving the right of all others having lawful title thereto.

CXXXVIII. Errours and Judgments before any of the Juſtices in their great Seſſions, in Pleas reall and mixt ſhall be redreſſed by Writ of Errour out of the Chancery of *England*, returnable before the Juſtices of the Common Pleas, as other Writs of Errour be in *England*: but Errors in Pleas perſonal ſhall be reformed by Bill, before the Preſident and Council; and if the Judgment be affirmed good, in any of the ſaid Writs or Bills, then there to make execution, and all other proceſs thereupon, as is uſed in the Kings Bench of *England*, and that the Plaintiff in every ſuch Writ or Bill, pay for the ſame like Fees as is uſed in *England*.

CXXXIX. No execution of any Judgment given in any baſe Court, ſhall be ſtayed by reaſon of any Writ of falſe Judgment, but execution may be had at all times before the reverſal of ſuch Judgment; and if ſuch Judgment ſhall after be reverſed, the Plaintiff ſhall be reſtored to what he hath loſt by ſuch Judgment.

CXL. All proceſs for urgent and weighty cauſes, ſhall be directed into *VVales* by the Chancellor of *England*, or any of the Kings Counſil, as heretofore hath been uſed, notwithſtanding this Act.

CXLI. The Town of *Bewdley* in the Pariſh of *Ribsford*, *in Com. Wigorn.* is made parcel of the County of *VVigorn*, and united to the Hundred of *Dodingtree* in that County, ſaving to the Burgeſs and Inhabitants of *Bewdley* their ancient Liberties and Franchiſes.

CXLII. *Llanſtiffan*, *Uſterloys* and *Langham*, with their members, are united to the County of *Caermarthen*, and made parcel of the Hundred of *Derries* in that County.

CXLIII. The Shire-Court of the County of *Radnor* ſhall be holden one time at New *Radnor*, and another time at *Preſton*, *alternis vicibus*, and never at *Rather Goway*, notwithſtanding the Statute of 27 H. 8.26.

CXLIV. The Kings Farmer of the Subsidy and Aulnage of woollen Cloaths in the County of *Monmouth*, and the other twelve Counties of *VVales*, shall take for sealing such cloths as followeth, *viz.* for every whole piece of Frise 1 *d.* a half piece, *ob.* a piece of cotton or lining, (24 yards and under) *ob.* a piece of the same (above 24 yards) 1 *d.* a broad cloth, 1 *d.* a piece of Kersey, (18 yards or above, 1 *d.* and for a piece of Kersey, (under 18 yards) *ob.* Howbeit this shall not extend to cloath made in private houses, and not put to sale, but to their servants.

CXLV. The Aulnager in *Wales* shall be bound and subject to the Laws and Customs of *England*, in like case provided.

CXLVI. The Town of *Haverford*-west is made a County of it self, whose Justice shall be the Justice of the County of *Pembroke*, and the judicial seal of *Pembrokeshire* shall be also used there, with divers other priviledges: *for which see the Statute at large.* Howbeit, this Article was but to continue in force during the Kings pleasure.

CXLVII. This Act shall not be prejudicial to any mans Inheritance, nor to any of the Kings Officers, for their Offices or Fees.

CXLVIII. No Land in *VVales* shall be *Gavelkind*, but discendable according to the course of the Common Law.

CXLIX. All Liberties of the Dutchy of *Lancaster* shall continue as they were before the making of this Act.

CL. **Stat.** 1, 2. *P. M.* 15. As well Spiritual Lords Marchers and their Successors, as the heirs and successors of Temporal Lords Marchers now being, or which shall hereafter be Lords Marchers of Lordships Royal in *Wales*, shall have and enjoy the one half of every forfeiture of every common mainprise, recognizance for the year, or apparence, forfeited by their Tenants inhabiting within any of their Lordships Marchers, or Lordships Royal, to be paid the same by the Sheriff of the County for the time being, as the Lay or Temporal Lords Marchers have (or ought to have) been paid the same, by force of the Statute of 27 H. 8. 26. And also all such mises, profits, and liberties, as the Lords Marchers Spiritual and Temporal have respectively used in time past to enjoy, before the making of the said Statute.

CLI. **Stat.** 18 *El.* 8. The Queen and her Heirs and Successors may (at her and their pleasure) name and appoint two or more persons learned in the Law, to the Justices in each of the Circuits in *VVales*, which had but one Justice before, or may grant Commissions of Association to such person or persons to be associate to the Justice or Justices of the said Circuits, who shall have like authority

sity and power as the one Justice had by the Statute of 34, 35 H. 8. 26.

CLII. **Stat. 27 El. 9.** All Fines and Recoveries taken or suffered in the Courts of Assizes or Sessions of the 12 Shires of *Wales*, the Town and County of *Haver-ford-west*, and the Counties Palatines of *Chester*, *Lancaster*, and *Durefme*, and in every of them, and all Writs, Returns, Warrants, and other proceedings concerning the same, now remaining, or which hereafter shall remain in the said Courts or Sessions, or in any of them, or in the custody of any of the Officers there, may (upon the request, and at the election of any person) be inrolled in Rolls of Parchments by such persons, and for such considerations, as are hereafter expressed; and such Inrolments shall be as good in force of Law, (for so much as shall be so inrolled) as the same so remaining are or ought to be.

CLIII. No Fines, Proclamations, or Recoveries there, shall be reversable by Writ of Errour, for false-Latine, rasure, interlining, mis-entring of any Warrant of Attorney, or of any Proclamation, mis-returning, or not returning of the Sheriff, or other want of form in words, and not in matter of substance.

CLIV. The person there that shall hereafter take the acknowledgment of any Fine, or any Warrant of Attorney, of any Tenant of vouchee for suffering any Recovery, or shall certifie them or any of them, shall with the certificate of the Concord or Warrant of Attorney certifie also the day and year, wherein the same was acknowledged, but shall not be inforced to certifie them, except within the year next after they were taken; And no Clerk or Officer there shall receive any Writ of Covenant, Writ of Entry, or other Writ, whereupon any Fine or Recovery is to pass, unless the day of acknowledgment thereof shall appear by such certificate, in pain of 40 s.

CLV. No Attornment upon any fine there, shall be entred upon Record, except the party mentioned to attorn, have first appeared in Court in person or by Attorney, warranted by the hand of one of the Justices of the same Court, upon any Writ of *Quid juris clamat*, *quem redditum reddit*, or *per quæ servitia*, as the cause requireth; and every attornment otherwise entred shall be void, without Writ of Error or other means to avoid it.

CLVI. There shall be in the said places an Office of Inrolments erected to continue for ever, for the inrolling of Fines and Recoveries, as aforesaid, and the Justices there shall (within their several limits) enjoy the said Office, and the disposition thereof, and carefully see to the execution of the same, by the due examination of

ſuch enrolments, and for their pains and care therein ſhall have certain fees allowed them; *For which, ſee the Statute at large.*

CLVII. Unto every Roll by any Juſtice ſo examined, he is to ſubſcribe his hand, in pain of 40 s. and any of the ſaid Juſtices may take order in all things needful for the ſaid Inrolment, and upon examination may in the ſaid Courts aſſeſs ſuch fines and amerciaments on any Clerk, Sheriff, Attorney, or other perſon, for miſpriſion, contempt, or negligence, in any thing concerning ſuch fines and recoveries, as to them or any one of them ſhall ſeem meet; Which fines and amerciaments ſhall be eſtreated, as others uſe to be out of the ſaid Courts.

CLVIII. The exemplification of any ſuch Record of any fine or recovery thereof, or any part thereof (in the ſaid 12 Shires of *Wales*, and the Town of *Haverford*-weſt) under the judicial Seal, or (in the ſaid Counties Palatine) under the Seal of the reſpective County Palatine ſhall be of as good force, as the orignal record it ſelf.

CLIX. The Juſtices Clerks may write out and enroll the ſaid Records, but ſhall not carry them out of their offices.

CLX. No Fine or Recovery heretofore levied or ſuffered, ſhall after exemplification be amended.

CLXI. This Act ſhall not prejudice the heirs of Sir *Edward Grey* Knight, Lord *Powis*, or Sir *Edward Herbert* Knight, his heirs or aſſigns, or *Henry Vernor*, or *John Vernor* Eſquires, their heirs or aſſigns, concerning any fine levied, or recovery ſuffered by or againſt the ſaid Lord *Powis*, of Lands in the County of *Mountgomery*; Nor to *Henry* now Earl of *Kent*, concerning any lands in *Wales*, whereunto he pretends title.

Walſingham.

I. **Stat.** 35 H. 8. 13. The Demeſne Lands in *Walſingham*, belonging to the late Priory there, may be let by Copy, and ſhall hereafter be Copyholds.

Wapping-Marſh.

I. **Stat.** 35 H. 8. 9. An Act for the Partition of *Wapping*-Marſh.

VVards.

Wards.

I. **Magna Charta**, 3. 9 H. 8.9. The Lord ſhall take homage of the heir within age, before he have the Wardſhip, and ſuch heir after he hath been in ward, ſhall (at his full age of 21 years) have his Inheritance without relief or fine, and if the heir within age be made a Knight, yet his Land ſhall remain in Ward, untill his full age aforeſaid.

II. **Magna Charta**, 6. 9 H. 3. Heirs ſhall be married without diſparagement.

III. **Magna Charta**, 27. 9 H. 3. If any hold of the King by Fee-farm, Soccage, or Burgage, and holdeth lands of another by Knight-ſervice, the King ſhall not have the cuſtody either of the heir or land, by reaſon of the tenures in Fee-farm, Soccage, or Burgage: Neither ſhall he have the cuſtody of ſuch Fee-farm, Soccage, or Burgage, except Knight-ſervice be due to him out of ſuch Fee-farm: Alſo by reaſon of petty Serjeancy (*viz.* to pay a Knife, Arrow, or the like) the King ſhall not have the cuſtody either of the heir or land.

IV. **Merton**, 6. 20 H. 3. Where heirs are led away and withholden, or married by their Parents and others, with force againſt the Peace, if a Lay-man be convict thereof, he ſhall render to the party the value of the marriage, and remain in priſon until he hath ſatisfied the ſame (if the child be married) and beſides until he hath ſatisfied the King for the treſpaſs: Howbeit, this is to be underſtood of an heir within age of 14 years.

V. If an heir 14 years old, or above, marry himſelf without licence of his Lord, to defraud him of the marriage, and his Lord offer him reaſonable and convenient marriage without diſparagement, the Lord ſhall retain the Land beyond the term of his full age, until he may receive the double value of the marriage, according to the eſtimation of lawful men, or as was offered him before without fraud or colluſion, and as it may be proved in the Kings Court.

VI. If Lords marry their heirs to Villains, Burgeſſes, or others, whereby they are diſparaged, ſuch heir being then within the age of 14 years: In this caſe upon complaint of the Wards friends, the Lord ſhall loſe his Wardſhip, and the profits thereof ſhall be (by friends) converted to the uſe of the heir: But if it be 14 years old or above, and conſent to ſuch marriage, no pain ſhall inſue.

VII. **Merton**, 7. 20 H. 3. If an heir (of what age ſoever he be) will not marry at the requeſt of his Lord, he ſhall not be compelled

thereunto: But when he is of full age, he ſhall pay his Lord (before he receive his land) as much as any would have given the Lord for the marriage: And that, whether the heir will marry himſelf or not; for, of right, the marriage of the heir within age pertaineth to the Lord.

VIII. Warlbr. 6. 52 H. 3. Where any enfeoff their eldeſt ſons and heirs within age of the Inheritance, with purpoſe to defraud the Lords of their Wardſhips: It is accorded, that by occaſion of any ſuch Feoffment no chief Lord ſhall loſe his Ward.

IX. As for ſuch as feign falſe Feoffments of their land, which they would deliver out for term of years, with purpoſe to defraud the chief Lords of their Wards, in which Feoffments is contained, that they are ſatisfied of the whole ſervice due unto them, until a certain time, ſo as ſuch Feoffees are bound at the ſaid term to pay a certain ſum to the value of the ſame lands, or far above, ſo that after the end of ſuch term, the land ſhall return to ſuch Feoffors and their heirs, becauſe no man will be content to hold it at the price: It is accorded that by ſuch fraud no chief Lord ſhall loſe his Ward: Howbeit, the Lords ſhall not diſſeize ſuch Feoffees without judgment, but ſhall have a Writ of *Ejectione cuſtodiæ* to recover the Ward; And when by the witneſſes to the Feoffment, with other lawful men of the Country, the value of the land, and the quantity of the ſum payable after the term, it ſhall be tryed, whether ſuch Feoffments were made *bona fide*, or by Colluſion, as aforeſaid: And if the chief Lords in ſuch caſes recover their Wards by judgment, the Feoffees nevertheleſs may have their action to recover ſuch term or fee (which they had therein) when the heirs come to their lawful age.

X. Where chief Lords malicicuſly implead ſuch Feoffees, feigning this eaſe, when the Feoffments were made *bona fide*, in ſuch caſes, the Feoffees ſhall recover againſt the chief Lords their damages and coſts, and beſides, the Plaintiffs ſhall be puniſhed by amerciament.

XI. Warlbr. 7. 52 H. 3. In a plea of *Communi Cuſtodia*, if the deforceors come not at the great diſtreſs, that Writ ſhall be renewed twice or thrice, at ſuch terms as it may be done in, within the half year following, ſo as at every ſuch time the Writ may be read in open County (if the deforceor be not found before) and be there openly proclaimed, that he may appear at the day limited; and if he come not in to anſwer within the half year, nor the Sheriff can take his body, to anſwer before the Juſtices, according to Law; then as a Rebel and one that will not be juſtified, he ſhall loſe the ſeiſin

of

of the Ward; saving to him at another time his Action, if he have right to the same.

XII. Howbeit, where the Wardship belongs to the Guardian of Wards, being within age, and where Guardians demand a Wardship, which belongeth to the heir, such heirs (within age) shall not lose their inheritance by the negligence of their Guardians, as in the case aforesaid, but in such cases the Common Law shall run as hath been accustomed.

XIII. Marlb. 17. 52 H 3. Guardians in Soccage shall make no waste, sale, or destruction of the heirs inheritance, but safely keep the same to the use of the heir, and when he cometh to age, shall answer him the issues thereof by a lawful accompt, saving their reasonable costs: Neither shall such Guardians sell the marriage of such heir; but to his advantage, and the Kinsfolk, that have such Ward (from the time that Writs of impleading have not been granted, *which seems to be by* Magna Charta 27. *See before* 3.) shall have such Wardship to the heirs advantage, without making waste, sale, or destructions, as aforesaid.

XIV. West. 1. 21. 3 E. 1. Guardians shall keep the Lands in Ward without destruction, according to *Magna Charta*: so also shall Archbishopricks, Bishopricks, Abbacies, Churches, and all spiritual dignities be kept in time of vacation.

XV. West. 1. 22. 3 E. 1. The Statute of *Merton* 6. (before 4.) as to the marriage of heirs without their Guardians consent, is confirmed.

XVI. The Lord may hold the land of heirs females two years after their age of 14. within which two years if he marry them not, they shall go quit, without giving any thing for the Wardship, or Marriage, and if they will not accept a convenient marriage tendered by the Lord, he shall hold their land till their age of 21 years and over, untill he have taken the value of the marriage.

XVII. West. 2. 16. 13 E. 1. Where one holdeth sundry lands of divers Lords by Knight-service, that Lord shall have the marriage, by whom the childs Ancestor was first enfeoffed, without having respect to the sex, or the quantity of the land, but only to the more ancient Feoffment.

XVIII. West. 2. 35. 13 E. 1. Where children (whose marriage belongeth to another) are taken away (the ravisher having no right to marriage) albeit the ravisher afterwards restore the child unmarried, or pay for the marriage, yet for his offence he shall be punished by two years imprisonment: and in case he do not restore, or marry the child after years of consent, and be not able to satisfie

for the marriage, he ſhall abjure the Realm, or have perpetual impriſonment, and thereupon the Plaintiff ſhall have a Writ of Raviſhment of Ward in this form:

XIX. *Si A. fecerit te ſecurum de clamore ſuo, &c. tunc pone per vad. &c. B. quod ſit coram Juſtic. &c. oſtenſurus, quare talem hæredem infra ætatem exiſtentem, cujus maritagium ad ipſum pertinet, tali loco inventum rapuit, & abduxit contra voluntatem ipſius A. & contra patem noſtram, &c.*

XX. If the heir be in the ſame County, then this clauſe is to be added: *Et diligenter inquiras, ubi ille hæres ſit in baliva tua, & ipſum (ubicunque fuerit inventus) capias, & ſalvo & ſecure cuſtodias, ita quod eum habeas coram præfat. Juſtic. noſtris ad præfat. terminum, ad reddendum, cui prædictorum A. vel B. reddi debeat.*

XXI. Proceſs ſhall be made againſt the offender by diſtreſs, if he have whereby to be diſtrained, or elſe (for his contumacy) he ſhall be outlawed.

XXII. If the heir be married, or carried into another County, the Writ ſhall be directed to the Sheriff of that other County, in this form:

Queſtus eſt nobis A. quod B. nuper talem hæredem infra ætatem & in cuſtodia ſua exiſtentem tali loco in tali Comitatu rapuit, & de Comitatu tali ad talem locum in Com. tuo abduxit, Contra voluntatem ipſius A. & contra pacem noſtram, &c. Et ideo tibi præcipimus, quod prædictum hæredem (ubicunque in baliva tua invenire poteris) capias & ſalvo & ſecure eum cuſtodias; Ita quod eum habeas coram Juſtic. noſtris, &c. tali die, quam idem A. habet verſus prædict. B. ad reddendum, cui de jure reddi debeat.

XXIII. The death of the heir (before he can be found or reſtored to the Plaintiff) ſhall not ſtop the Suit, nor excuſe the raviſher from puniſhment; or if the Plaintiff die, his heir ſhall revive the Suit, if the right did belong unto the Plaintiff by reaſon of his proper fee; but if it were by gift, ſale, or the like, the ſuit ſhall be revived by his Executors; or in caſe the Defendant die, the ſuit ſhall be re-ſummoned betwixt the Plaintiff, his heirs, or executors, and the Executors of the Defendant, or his heirs, if the Executors be not ſufficient to ſatisfie the value of the marriage, but not as to the pain of impriſonment, for none ſhall be puniſhed for anothers offence.

XXIV. Alſo in a Writ *de Communi cuſtodia*, if either party die, hanging the Suit, reſummons ſhall be made betwixt the heirs and executors of the Plaintiff; and the heirs and executors of the Defendant

fendant, and when they have paſſed to the great diſtreſs, day ſhall be given, within which time three Counties may be holden at leaſt, in every of which proclamation ſhall be made that the deforceor ſhall appear in the Bench at the day contained in the Writ to anſwer the Plaintiff, at which day if he come not, and the proclamation be returned once, twice, or thrice, the Judgment ſhall paſs for the Plaintiff, ſaving the defendants right, if after he will claim it: The like alſo ſhall be done in a writ *de ejectione cuſtodiæ*.

XXV. The **Stat.** of Wards and Reliefs, 28 E. 1. where any relief is given, there Wardſhip is incident, *& contra*.

XXVI. Unto *Grand Serjeancy*, *viz.* to go with the King in his Hoſt, ward and relief are incident; but not to petty *Serjeancy*, as to bear ſhield or ſpear there.

XXVII. A free *Sokeman* ſhall neither give ward or relief, but ſhall double his rent after the death of his Anceſtor, and ſhall not be unmeaſurably grieved.

XXVIII. There are two kinds of Writs to recover Wards, *viz.* the one is where land is holden in Knight-ſervice, and the other, where it is holden in ſoccage: The Ward of Land in Knight-ſervice belongs to the Lord, and the marriage alſo (which ought to be without diſparagement) untill he attains to the age of 21 years.

XXIX. The Ward of an Heir that holdeth in ſoccage, if the land deſcended on the mothers ſide, belongs to the next friend on the Fathers ſide, *& contra*.

XXX. There are three manner of Writs to recover Wards. 1. When both the land and heir is demanded, called a Writ *de Communi cuſtodia*, and in this caſe the chief Lord ſhall recover both the Ward and marriage. 2. When the tenant hath purchaſed lands holden of ſeveral Lords, in which caſe the Lord, of whom the land laſt purchaſed is holden, ſhall neither have the land nor heir, but the Lord that firſt enfeoffed the tenant ſhall have them. 3. When one hath lands by reaſon of a Ward, but hath not the Heir, here he may have a Writ to demand the heir, and not the land; and this is called a Writ of Raviſhment of Ward.

XXXI. **Pierog. Reg.** 1. 17 E. 2. The King ſhall have the Ward of all lands holden of him in chief by Knight-ſervice, whereof the Tenant dyed ſeiſed (of whomſoever they hold by like ſervice, ſo as they held anciently any land of the Crown) until the Heir came to his lawful age; except the fees of the Archbiſhop of *Canterbury*, the Biſhop of *Durſme* between *Tine* and *Tees*, fees of Earls and Barons in the Marches where the Kings writ runs not, and where ſuch Archbiſhops, Biſhops, Earls, and Barons ought to have ſuch Wards, albeit they hold of the King in ſome other place.

XXXII.

XXXII. **Prerog. Reg.** 2. 17 E. 2. The King ſhall have the marriage of an heir being within age and in his Ward, whether his lands have appertained to the Crown of ancient continuance, or came by Eſcheat, being in the Kings hands, or by reaſon of another wardſhip, without reſpect of priority or poſteriority of feoffment, albeit ſuch heir held alſo of others.

XXXIII. **Prerog. Reg.** 6. 17 E. 2. If a Woman (before her anceſtors death that held of the King in chief) be married before her age of conſent, the King ſhall have the ward of her body, untill her age of conſent, and then it is at her election, whether ſhe will have him whom ſhe firſt married, or him whom the King will offer her.

XXXIV. None that holds of the King in chief by Knight-ſervice, ſhall (without the Kings licence) alien ſo much of his lands that the reſidue is not ſufficient to do his ſervice: Howbeit, this is not to be underſtood of members and parcels of ſuch lands.

XXXV. **Stat.** 14 E. 3. Stat. 1. 13. After the death of the Kings tenant in chief, the Eſcheator ſhall cauſe to be ſeiſed into the Kings hands, the lands as to their office appertains, without doing waſte in houſes, Woods, Parks, Ponds, or other extortions, which may tend to the damage of the heir, and forthwith after the *Diem clauſit extremum* delivered to him, ſhall make return thereof by a good and true extent in the Chancery.

XXXVI. After ſuch return, if the next friends of the heir, to whom the inheritance cannot deſcend, ſhall come and offer to take the ſaid lands, untill the heir be at age, and to give for the ſame as much as another, without fraud, by accord of the Chancellor and Treaſurer, they ſhall have Commiſſion to keep them (upon good ſecurity) untill his full age, anſwering to the King the value thereof.

XXXVII. Howbeit, this Act ſhall not conclude the King from having an Action of waſte againſt ſuch Guardians and Farmers; the Heir alſo may have like Action againſt them, when he comes to age.

XXXVIII. **Stat.** 39 H. 6. 2. Women being of the age of 16 years, at the time of the death of their Anceſtors, ſhall have livery of their lands deſcended to them.

XXXIX. **Stat.** 4 H. 7. 17. The Statute of *Marlb.* 6. 52 H. 3. (*before* 4.) is confirmed.

XL. The Lord of *Ceſtuy que uſe* (no Will of his Anceſtor being declared in his life time) ſhall have a Writ of right of Ward for the body and the land; and the heir of *Ceſtuy que uſe* being at full age

at

at the death of his anceſtor, ſhall pay relief; the heir alſo of *Ceſtuy-que uſe* ſhall have like action of waſte, as if his anceſtor had dyed ſeiſed, and if the Lord be barred in his Writ of right of Ward, the Defendant ſhall recover damages.

The Court of Wards, *Vide* Courts, Numb. XXXIV.

VVares.

I. **Stat.** 5 El. 7. None ſhall bring or cauſe to be brought into this Realm from beyond Sea, any girdles, harneſs for girdles, Rapiers, Daggers, Knives, Hilts, Pummels, Lockets, Chapes, Dagger-blades, Handles, Scabbards, or Sheaths for Knives, Saddles, Horſharneſs, Stirrops, Bits, Gloves, Points, Leather laces, or Pinnes, being ready wrought beyond Sea, to be ſold, bartered, or exchanged in this Realm or *Wales*, in pain to forfeit the ſame or the value thereof to be divided betwixt the Queen and the Proſecutor.

VVarranty.

I. **The Statute of Bigamy**, 6. 4 E. 1. In deeds conteining *Dedi & conceſſi tale tenementum*, without non-age, or any clauſe of Warranty, and to be holden of the donors and their heirs by a certain ſervice; in this caſe, the donors and their heirs are bound to Warranty: But where the deed is *dedi & conceſſi, &c.* to be holden of the chief Lord of the fee, or of other, and not of the feoffors and their heirs, reſerving no ſervice, and without homage, and the aforeſaid clauſe: here, the feoffors Heirs ſhall not be bound to Warranty: Howbeit, the feoffor himſelf during his life (by force of his own gift) is bound to warrant.

II. **The Statute of Glocester**, 3. 6 E. 1. Where tenant by the curteſy aliens his Wives land, his ſon (having no *aſſets* by deſcent) ſhall not be barred to recover the land by a Writ of *Mortdanceſter*, of the ſeiſin of his mother; albeit his fathers deed mentioneth, that he and his heirs ſhall be bound to warranty; but in caſe any land deſcend to the heir of his fathers ſide, he ſhall be barred for the value of the inheritance ſo deſcended.

III. Alſo if afterwards any inheritance deſcend to him by the ſame father, the tenant ſhall recover againſt him of the ſeiſin of his mother, by a Judicial writ to be iſſued out of the Rolls of the Juſtices, before whom the plea was pleaded, to reſummon his warranty, as hath been heretofore uſed in caſes, where the warrantor pleads *riens per deſcent* from him, by whoſe deed he is vouched.

Like-

IV. Likewiſe the iſſue of the ſon may recover by Writ of Couſinage, *Ayel*, and *Beſayel*, neither ſhall the heir of the Wife be barred of his action, after the death of his father and mother, by writ of Entry, for land which his Father did alien in the time of his mother, whereof no fine is levyed in the Kings Court.

Warr.

I. **Stat.** 1 E. 3. 7. Whereas Commiſſioners have heretofore prepared men of Arms, and conveyed them to the King of *Scotland*, *Gaſcoigne*, and elſwhere at the charge of the Shires, whereby the Commons have been much impoveriſhed: The King wills, That it ſhall be done ſo no more.

II. **Stat.** 18 E. 3. 7. Men of Arms, Hoblers, and Archers choſen to go in the Kings ſervice out of *England*, ſhall be at the Kings wages, from the day that they depart out of the Countreys where they are levied, till their return.

III. **Stat.** 25 E. 3. Stat. 5. 8. None ſhall be conſtrained to find men of Arms, Hoblers, or Archers, but by tenure of land or grant in Parliament.

IV. **Stat.** 4 H. 4. 13. The Statutes of 1 E. 3. 7. 18 E. 3. 7. and 25 E. 3. Stat. 5. 8. ſhall be holden in all points; yet ſo as Lords and all others, that have lands in *Wales*, or the Marches thereof, or hold of the King by Eſcuage or other ſervice, ſhall in no wiſe be excuſed of their ſervice and devoirs due to the King for their lands, fees, annuities, penſions, or other profits.

V. **Stat.** 11 H. 7. 18. Every perſon in *England* and *Wales* having any office, fee, or annuity of the Kings grant, ſhall perſonally attend upon him, when he goes himſelf in perſon in the Wars (unleſs he have the Kings licence, or be letted upon ſome juſt cauſe well proved) in pain to forfeit ſuch office, fee, and annuity. Howbeit, this Act ſhall not extend to any ſpiritual perſon, the Maſter of the Rolls, or other Officer, or Clerk of the Chancery, Juſtices of either Bench, Barons of the Exchequer, or other Officers or Clerks of the ſaid places, the Kings Attorney or Sollicitor, Serjeants at Law, any of the Kings Officers in *Berwick* or *Carliſle*, or the Clerk of the Kings Council: *See alſo another Statute to the like effect for the forfeiture of lands made* 19 H. 7. 1.

VI. **Stat.** 16. 17 *Car.* 2. An Act was made for the relief of the Kings Army, and the Northern parts of this Kingdome, otherwiſe called the Act of the *Poll-money*, or four Subſidies.

VII. *Car.* 3. Another Act was made for the reforming of ſome things

things miſtaken in the Stat. of 16 *Car. c.* 2. And to make good the Acts of the Commiſſioners, and other Officers by them authorized or appointed, and to be then authorized or appointed.

VIII. *Cap.* 4. Another Act was made for the levying of two intire Subſidies for the further relief of the Kings Army, and the ſaid Northern parts of the Kingdome.

IX. *Cap.* 5. An Act was made for the levying of Mariners, Sailers, and others for the preſent guarding of the ſeas, and neceſſary defence of the Realm.

X. *Cap.* 9. This Act was made for the ſpeedy proviſion of money for disbanding the Armies, and ſetling the peace of the two Kingdoms of *England* and *Scotland*.

XI. *Cap.* 13. Another Act for the ſecuring of ſuch moneyes as are or ſhall be due to the Inhabitants of the County of *York*, and the other adjoyning Counties, wherein the Kings Army is or hath been billeted, for the billet of the ſouldiers of the ſaid Army, as alſo to certain Officers of the ſame Army, who do forbear part of their pay, according to an Order in that behalf made in the Commons Houſe of Parliament this preſent Seſſion; for ſuch part of their pay as they ſhall ſo forbear.

VVaſte.

I. **Magna Charta**, 4. 9 H. 3. No Waſte ſhall be made by the Guardian in Wards lands; and if the cuſtody be committed to the Sheriff or any other that is accomptable to the King, and they commit waſte, they ſhall make recompence, and the wardſhip ſhall be committed to two diſcreet men of the fee, who ſhall anſwer the iſſues of the land to the King or his Aſſignee.

II. The Committee of the Ward making ſuch waſte, ſhall loſe the cuſtody, and then likewiſe he ſhall be committed to two diſcreet men, who ſhall be anſwerable to the King as aforeſaid.

III. **Magna Charta**, 5. 9 H. 3. The Guardian of the Wards lands ſhall with the iſſues thereof uphold his Houſes, Parks, Warrens, Ponds, Mills, and other things pertaining to the ſaid lands; and ſhall deliver unto him at his full age, lands ſtored with ploughs and other things (at leaſt) as he received them.

IV. The like ſhall be obſerved in the cuſtodies of all ſpiritual dignities, which pertain to the King, during their vacancy: Howbeit, ſuch cuſtodies ought not to be ſold.

V. **Marlb.** 23. 52 H. 3. *Pars inde.* Farmers (during their terms) ſhall not make waſte, ſale, or exile of houſe, woods, men, or any thing elſe,

elſe, which appertains to the tenements, that they have in farm; without ſpecial licenſe had by writing of Covenant, making mention, that they may ſo do; in pain, that they (being thereof convict) ſhall yield full damage, and be grievouſly puniſhed by amerciament.

VI. **The Statute of Glocester**, 5. 6 E. 1. An Action of Waſte is maintainable againſt tenant by the courteſy in dower, for life or years, and the party attainted thereof ſhall loſe the thing waſted, and recompence thrice ſo much, as ſuch waſte is taxed at.

VII. As for Waſte done in the time of Wardſhip, *Magna Charta*, 4. 9 H. 3. (before 1.) ſhall be obſerved: and moreover, the Guardian ſhall recompence the heir for the waſte done, if the Wardſhip loſt ſhall not amount to the value of the damages, before the Heirs full age.

VIII. **Weſt.** 2. 14. 13 E. 1. The proceſſes in an action of waſte ſhall be ſummons, attachment and diſtreſs, and if the defendant appear not upon the diſtreſs, a writ of enquiry ſhall be directed to the Sheriff to inquire of the waſte, upon return whereof, the Court ſhall proceed to Judgment, according to the Statute of *Glocester, cap. 5. before.*

IX. **Weſt.** 2. 22. 13 E. 1. An action of waſte ſhall be maintainable againſt one tenant in common againſt another of wood, turfland, fiſhing, or the like, and when the cauſe comes to Judgment, the defendant ſhall chooſe either to take his part in a certain place (to be ſet out by the Sheriff with a Jury) or to grant to take nothing, but as his pernors do; and if he chuſe to take his part in a place certain, the place waſted ſhall be aſſigned for his part. The writ in this caſe is, *Cum A. & B. tenent. Boſcum pro indiviſo, B. fecit vaſtum, &c.*

X. **The Statute of Waſte**, 20 E. 1. An action of waſte is maintainable by the heir for waſte done in his anceſtors time, as well as for that done in his own time.

XI. **Artic. ſup. Chart.** 18. 28 E. 1. An action of waſte is maintainable againſt Eſcheators, and Sub-eſcheators, for waſte by them committed in Wards lands.

XII. **Stat.** 11 H. 6. 5. An action of Waſte is maintainable by the reverſioner againſt tenant for life, or years, that firſt aliens his eſtate to a ſtranger, and afterwards (ſtill receiving the profits thereof) commits waſte: Howbeit this Statute ſhall not extend to ſuch tenants as hold without impeachment of waſte.

Watch-

☞VVatches.

I. **Stat.** 5 H. 4. 3. Watches shall be kept upon the Sea-coasts, as they were wont to be; and in that case, the Statute of *Winchester* shall be observed: *Which see in* Robbery.

II. In every Commission of Peace hereafter to be made, this article shall be inserted, *viz.* That the Justices of Peace shall have power in their Sessions to inquire of Watches, and to punish them, who shall be found in default, according to the tenor of the said Statute.

☞VVax.

* **Stat.** 11 H. 6. 12. No Wax-chandler shall sell or put to sale any Candles or other wares made of Wax at a dearer rate, then that he may have only 4 *d.* in every pound of wares above the common price of plain wax, in pain to forfeit all such wares put to sale, and the value of them sold, and besides to make fine to the King.

II. Justices of Peace, Mayors, Bailiffs, and Stewards of Franchises, have power to examine and search concerning the breach of this Law, and also to hear and determine the offences committed against it.

III. **Stat.** 23 El. 8. None in mingling or making of wax, shall use or cause to be used any deceit by mixture and mingling the same with Rosin, Tallow, Turpentine, or other deceitful thing, to the intent to sell it, or to put it to sale, in pain to forfeit the same: And if such deceitful wax happen to be sold before it be discovered, the melter or procurer thereof, shall forfeit for every pound thereof 2 *s.* to be divided betwixt the Queen and the party deceived, if he will sue, but if not, then the prosecutor.

IV. Every melter and maker up of unwrought wax, shall have a stamp or mark of the breadth of 6 *d.* wherein the two letters of his name and sirname shall be graven, and with this shall stamp every such piece of wax triangularly in three places upon the out side of every such piece, in pain to forfeit the value of every piece so sold or put to sale not so stamped.

V. None shall melt, mix, work, sell, or put to sale, any wrought wax, stuff, or wares wrought with wax, but with good and pure stuff, fit for such work, and sealed with the workers stamp, to the end he may be known; in pain to forfeit all corrupt wares otherwise wrought, and so sold or put to sale, to be divided as aforesaid.

None

VI. None shall sell or put to sale any false mingled Wax, in pain to forfeit the same, to be divided as before.

VII. All Cask filled with honey, shall be by the filler thereof marked with two letters, standing for his name and sir-name, each letter being an inch and an half in length, at least, and burnt upon the head of each Cask with an hot Iron; in pain to forfeit 6 *s.* 8 *d.* for every Cask of honey sold or put to sale, and not so marked.

VIII. None shall fill, sell, or put to sale any Cask of honey for a Barrel, Kilderkin or Firkin, unless they contain as followeth, *viz.* the Barrel 32 gallons wine-measure, the Kilderkin 16, and the Firkin 8; in pain to forfeit for every half gallon so lacking 5 *s.* together with the Cask and Honey therein contained, to be divided as before.

IX. This Act, as to the marking of Wax, shall not extend to any selling the Wax of their own Bees in open Markets, nor to any servant mingling or corruptiwg Wax by the commandment of his Master, so as he will confess the same.

X. None shall counterfeit anothers mark, nor stamp therewith without the owners consent, in pain to forfeit for every such offence 5 *s.* to be divided, as before; And in case he be not able to pay it, to be set upon the Pillory in the next Market-Town to the place where he offends, and to suffer three months imprisonment without bail.

VVears.

* I. **Magna Carta**, 23. 9.H. 3. All Wears shall be put down by *Thames* and *Medway*, and throughout all *England*, save onely by the Sea-coasts.

II. **Stat.** *de Pannis*, 4.25.E.3. All Gorces Mills Wears, Stanks, Stakes, and Kiddles, set up in the time of E. 1. and since, whereby Ships and Boats are disturbed to pass in Rivers, as they were wont, shall be utterly pulled down, never to be renewed: And hereupon Writs shall issue to the Sheriffs of the places, where need shall require, to survey, and inquire, and thereof to do execution; Justices also shall be thereupon assigned, as shall be needful.

* III. **Stat.** 45 E.3.2. The Statute of Cloth 4. 25 E. 3. shall be put in due execution, and if any such annoyance be done, it shall be pulled down by due Process, according to the said Statute.

IV. If any shall repair any such annoyance, and be thereof attainted, he shall incur the pain of 100 marks to the King, to be levied

vied by eſtreats of the Exchequer: The like Law ſhall be for anhoyance made by enhancing ſuch Wears, Mills, Stanks, Stakes, and Kiddles, as by the new levying of them.

V. **Stat.** 1. H.4.12. The ſaid Statute of 25 E.3.4. and 45 E.2. ſhall be put in due execution.

VI. Commiſſions ſhall be made to ſufficient men to be Juſtices in every County, where need ſhall be, to ſurvey and keep the waters and great Rivers there, to correct the defaults, and to put the ſaid Statutes in due execution, as well by their Survey, advice, and diſcretion, as by Enqueſts, both within franchiſes and without, as need ſhall be, and to hear and determine the things aforeſaid: Alſo to ſurvey the Wears, Mills, Stanks, Stakes, and Kiddles, levied before the time of E.1. and to correct, pull down, and amend ſuch of them, as they ſhall find too much enhaunced as ſtraightned, ſaving alwayes a reaſonable ſubſtance thereof.

VII. If any ſuch nuſances be adjudged and awarded by the ſaid Juſtices fit to be pulled down and amended, the owner of the freehold thereof ſhall make thereof execution at his own charge within half a year after notice thereof given to him, in pain of 100 Marks to be paid to the King by eſtreats of the Exchequer: And he that ſhall cauſe them to be repaired, enhaunced, or ſtraightened againſt the ſaid judgement (being thereof convict) ſhall alſo incur the pain of 100 Marks, to be paid, as aforeſaid: Howbeit, if any ſhall finde himſelf grieved by the execution of this Act, upon complaint he ſhall be relieved.

VIII. **Stat.** 4. H.4.11. The Statutes of 25 E.3.4. 45.E.2. and 1 H.4.12. ſhall be duly put in execution.

IX. Commiſſions ſhall be awarded to certain Juſtices and others in every County, where need ſhall be, to inquire of offenders againſt the ſaid Statutes, and to puniſh them by fine at their diſcretions; ſaving to the King the penalties compriſed in the ſaid Statutes.

X. The eſtreats of ſuch fines ſhall be delivered by the Juſtices to the Sheriff by Indenture, who ſhall there outpay to every Juſtice 4 s. for every day, that he ſhall execute ſuch Commiſſion, and the Sheriff is to be allowed it again upon his accompt in the Exchequer.

XI. **Stat.** 1. H. 5. 2. All the aforeſaid Statutes are confirmed, and ordered to be put in due execution.

XII. **Stat.** 12. E.4.7. All the ſaid Statutes are again confirmed And whereby award of any of the ſaid Commiſſioners aſſigned (according to the ſaid Statute of 1 H.4.12.) it is found, that ſuch Wears, Fiſh-garths, Mills, Mildams, Milſtankes, Locks, Ebbing-wears, Kiddles, Hecks, or Flood-gates, are made, levied, raiſ-

ed, ſtraightned, or enlarged againſt the ſaid Statute, if the offenders therein, being duly warned thereof by the Sheriff (by *Scire facias*) do not within three months after ſuch warning, duly return ſuch default, they ſhall forfeit 100 marks, to be paid, as by the ſaid Statute is ordained, and alſo for every month after the ſaid three months, that the ſaid default is not reformed, 100 marks more, to be divided betwixt the King and the Proſecutor: The Heir alſo or the Aſſignee of ſuch offender, ſhall likewiſe forfeit 100 marks for every month, that he continues ſuch diſturbances, to be divided, as aforeſaid.

☞ Weights and Meaſures.

I. **Magna Charta**, 25. 9. H. 3. One meaſure of Wine ſhall be throughout the Realm, one meaſure of Ale, and one meaſure of Corn, *viz.* the quarter of *London*, and one bredth of dyed cloth, Ruſſet, and Haberjects, *viz.* two yards within the liſts; and it ſhall be of weights, as it is of meaſures.

II. **Aſſiſa Panis & Cervitiæ**, 51 H. 3. By this Statute the Aſſize of bread was rated, *viz.* when a quarter of wheat ſhould be ſold for 12 *d.* waſtel bread of a farthing (*a kind of bread then in uſe*) ſhould weigh 6 pounds 16 ſhillings, *viz.* 6 pounds 9 ounces and 12 penny weight, according to *Troy-weight: For at that time a pound of ſilver, by Troy-weight, was a pound Sterling, or* 20 *ſhillings, and a penny new, was three pence then: And ſo it continued, until* H. 6. *raiſed the ounce of Silver (which was before but* 20 *pence) to* 30 *pence, and after that the old penny was valued at three half pence: Afterwards* E. 4. *raiſed it to* 40 *pence: then* H. 8. *to* 45 *pence, and laſt of all* Qu. El. *to* 5 *ſhillings, at which rate it yet ſtands: And all this was done by the ſaid Kings and Queens Proclamations, according to the exigencies of affairs in the Common-wealth at the times, when it was ſo altered.*

III. *According to the proportion ordained by this Statute, the enſuing Table is framed for the due Aſſize of Bread now in uſe.*

A Table of the Aſsize of Bread, according to *Troy*-weight, having Twelve Ounces in a Pound, and twenty Peny-weight in each of thoſe twelve Ounces.

Price of wheat.		Penny white.			Penny wheaten.			Penny Houſhold.		
s.	d.	l.	ounc.	dr.	li.	ounc.	dr.	li.	ounc.	dr.
19	6	1	5	7	2	2	0	2	10	19
20	0	1	4	18	2	1	6	2	9	16
20	6	1	4	10	2	0	14	2	9	0
21	0	1	4	2	2	0	2	2	8	4
21	6	1	5	14	1	11	12	2	7	8
22	0	1	3	6	1	11	0	2	6	12
22	6	1	3	0	1	10	10	2	6	0
23	0	1	2	4	1	10	0	2	5	8
23	6	1	2	8	1	9	12	2	4	16
24	0	1	2	2	1	9	2	2	4	4
24	6	1	1	16	1	8	13	2	3	12
25	0	1	1	10	1	8	6	2	3	0
25	6	1	1	5	1	7	18	2	2	10
26	0	1	1	0	1	7	10	2	2	0
26	6	1	0	15	1	7	3	2	1	10
27	0	1	0	10	1	6	16	2	1	4
27	6	1	0	6	1	6	8	2	0	12
28	0	1	0	1	1	6	0	2	0	2
28	6	0	11	17	1	5	15	1	11	14
29	0	0	11	13	1	5	10	1	11	6
29	6	0	11	9	1	5	4	1	10	17
30	0	0	11	5	1	4	18	1	10	10
30	6	0	11	1	1	4	12	1	10	2
31	0	0	10	18	1	4	6	1	9	16
31	6	0	10	14	1	4	1	1	9	8
32	0	0	10	11	1	3	16	1	9	2
32	6	0	10	8	1	3	12	1	8	16
33	0	0	10	5	1	3	6	1	8	10
33	6	0	10	3	1	3	0	1	8	4

Price of Wheat.		Penny white.			Wheaten.			Houshold.		
s.	dr.	li.	ounc.	dr.	li.	ounc.	dr.	li.	ounc.	dr.
34	0	0	9	19	1	2	15	1	7	18
34	6	0	9	16	1	2	12	1	7	12
35	0	0	9	13	1	2	8	1	7	6
35	6	0	9	10	1	2	4	1	7	0
36	0	0	9	8	1	2	1	1	6	16
36	6	0	9	5	1	1	18	1	6	10
37	0	0	9	2	1	1	14	1	6	4
37	6	0	9	0	1	1	10	1	6	0
38	0	0	8	18	1	1	7	1	5	16
38	6	0	8	15	1	1	4	1	5	11
39	0	0	8	13	1	1	0	1	5	6
39	6	0	8	11	1	0	16	1	5	2
40	0	0	8	9	1	0	12	1	4	18
40	6	0	8	7	1	0	9	1	4	14
41	0	0	8	5	1	0	6	1	4	10
41	6	0	8	3	1	0	3	1	4	6
42	0	0	8	1	1	0	0	1	4	2
42	6	0	7	19	0	11	18	1	3	18
43	0	0	7	17	0	11	16	1	3	14
43	6	0	7	15	0	11	13	1	3	10
44	0	0	7	13	0	11	10	1	3	6
44	6	0	7	12	0	11	6	1	3	3
45	0	0	7	10	0	11	4	1	3	0
45	6	0	7	8	0	11	2	1	2	17
46	0	0	7	6	0	11	0	1	2	13
46	6	0	7	5	0	10	18	1	2	10
47	0	0	7	4	0	10	16	1	2	7
47	6	0	7	2	0	10	13	1	2	4
48	0	0	7	1	0	10	10	1	2	1
48	6	0	6	19	0	10	8	1	1	18
49	0	0	6	17	0	10	6	1	1	16
49	6	0	6	16	0	10	4	1	1	13
50	0	0	6	15	0	10	2	1	1	10
50	6	0	6	14	0	10	0	1	1	7
51	0	0	6	12	0	09	18	1	1	4
51	6	0	6	11	0	9	16	1	1	2

Price of wheat.		Penny white.			Wheaten.			Houſhold.		
s.	dr.	li.	ounc.	dr.	li.	oun.	dr.	li.	ounc.	dr.
52	0	0	6	10	0	9	14	1	1	0
52	6	0	6	8	0	9	12	1	1	17
53	0	0	6	7	0	9	10	1	0	14
53	6	0	6	6	0	9	8	1	0	12
54	0	0	6	5	0	9	6	1	0	10
54	6	0	6	4	0	9	5	1	0	8
55	0	0	6	3	0	9	4	1	0	6
55	6	0	6	1	0	9	2	1	0	3
56	0	0	6	0	0	9	0	1	0	0
56	6	0	5	19	0	8	18	0	11	18
57	0	0	5	18	0	8	17	0	11	16
57	6	0	5	17	0	8	15	0	11	14
58	0	0	5	16	0	8	14	0	11	11
58	6	0	5	14	0	8	13	0	11	9
59	0	0	5	13	0	8	12	0	11	6
59	6	0	5	12	0	8	10	0	11	4
60	0	0	5	11	0	8	8	0	11	2
60	6	0	5	10	0	8	6	0	11	1

IV. According to the aboveſaid rate (*at the time when this Statute was made*) a Baker in a Quarter of Wheat (as was then proved by the Kings Bakers) might gain 4 *d.* and the bran, and two loaves for advantage; for three ſervants 1 *d. ob.* for two lads *ob.* for ſalt *ob.* for kneading *ob.* for candle *qu.* for wood 3 *d.* and for his boultel, *ob. in toto*, 12 *d. ob. qu. Which being trebled, according to the rate of money now) amounts to* 3 s. 2 d. qu. *and may therefore be now conceived fit for the Baker to gain in the uttering of every Quarter of Wheat: Howbeit note, That by the Book of Aſſiſe now in uſe, publiſhed by Proclamation towards the latter end of the Reign of Queen* Elizabeth) *Bakers inhabiting Corporate Towns (in regard they pay Scot and Lot there) are allowed ſix ſhillings in every Quarter of the middle-prized wheat for their charge in baking: And Countrey or Forreign Bakers only* 4 s. For Example; *When the middle price of wheat is* 30 s. *the Quarter, for aſſize of Town-Bakers you are to find in the aforegoing Table the aſſize of bread anſwering to* 36 s. *but for the aſſize of Forreign Bakers, that of* 34 s. *And therefore (in that caſe) the penny white loaf put to ſale by*

Town-Bakers ought to weigh nine ounces, eight penny weight; but that uttered by forreign Bakers nine ounces nineteen penny weight, as appears in the Table.

V. When a Quarter of wheat is sold for 3 *s.* or 3 *s.* 4 *d.* and barly for 20 *d.* or 2 *s.* and oats for 16 *d.* the quarter, Brewers in Cities may afford to sell two gallons of beer or ale for 1 *d.* and out of Cities three gallons for 1 *d.* and when in a Town three gallons may be sold for 1 *d.* out of a Town four gallons may be afforded: And this Assize shall be observed throughout *England*.

VI. The Assize of Bread shall be rated according to the middle price of wheat, and shall not be changed but by 6 *d.* increasing or decreasing in the sale of a Quarter.

VII. *Stat. de ponderibus & mensuris.* An English penny sterling (being now three pence) shall weigh 32 grains of wheat taken out of the middle of the ear, and 20 *d.* do make an ounce 12 ounces a pound, 8 pounds a gallon, 8 gallons a *London* bushel, which is the eighth part of a quarter. *Stat.* 31 E. 1. See *Rastal*, Weights 7, 8.

VIII. *Stat. of Pillory and Tumbrel*, 51 *H.* 3. If a Baker or Brewer be convict not to have observed the Assize; for the first, second, and third fault, he shall be amerced, except the offence be grievous and often, and then shall the Baker to the Pillory, and the Brewer to the Tumbrel, or some other Correction.

IX. Six men shall be sworn truly to gather all the measures and weights of the Town, and of Mills, and upon the measures and weights, as also upon every loaf shall the name of the owner be distinctly written: After this, twelve lawful men shall be sworn to make true answer on the Kings behalf upon Articles hereafter following: and the Bailiff shall be commanded to bring the Bakers and Brewers with their measures, and all things underwritten,

X. Then first the Jury shall inquire the first, second, and third prices of Wheat sold the last Market-day; and also how Barley and Oats; and upon how much increase or decrease of the price of Whear, the Baker ought to change the Assize of his bread, and how much it ought to weigh, according to the present price of Wheat: and whether the Town have a Pillory of convenient strength.

XI. Again, they shall inquire of the assize and price of Wine, and the Vintners names, and how they sell, and whether they utter that which is wholesome for mans body: also of the assize of ale in the Court of the Town, how it is, and whether it be observed; and if the Brewers be found to have sold contrary to the Assize, they shall be amerced, or else judged to the Tumbrel.

They

XII. They ſhall inquire likewiſe of ſuch as uſe double or falſe Weights or Meaſures, of Butchers and Cooks that ſell unwholſome meat; and of foreſtallers, which buy any thing before the accuſtomed time of Market.

XIII. **Stat.** *de Piſtoribus*, 31 E. 1. The aſſize or weight of wheat ſhall never be changed, but when there is ſix pence increaſing or decreaſing in the price of a quarter.

XIV. If a Bakers bread be found a farthing weight lacking in two ſhillings ſix pence, or under, he ſhall be amerced; and if it paſs the ſame number, he ſhall ſuffer the puniſhment of the Pillory, which ſhall not be remitted for gold or ſilver: and every Baker ſhall have a mark of his own for bread.

XV. *According to which proportion, it ſeems, that if a Bakers bread wants not a penny weight in ſix ounces, he ſhall not incur amerciament.*

XVI. Every Pillory or Stretch-neck muſt be made of convenient ſtrength, for that execution may be done upon offenders without peril of their bodies.

XVII. The Toll of a Mill ſhall be taken according to cuſtome and the ſtrength of the water, either to the 20 or 26 corn: alſo by a meaſure agreeable to the Kings Standard, and by the rate and not by heap or cantell; and if the Farmers find the Millers their neceſſaries, they ſhall take nothing beſides their due toll, in pain to be grievouſly amerced.

XVIII. The aſſize of Ale ſhall be aſſeſſed, proclaimed, and kept, according to the price of corn, whereof Malt is made; and the Brewer ſhall not increaſe more in a gallon, but according to the rate of 6 *d.* riſing or falling in a Quarter of Malt: and if he break the aſſize for the firſt, ſecond, and third time, he ſhall be amerced; but for the fourth, he ſhall incur the Pillory.

XIX. A Butcher that ſells Swines-fleſh mezled, or dead of the murrin, ſhall for the firſt time be amerced, for the ſecond incur the Pillory, for the third be impriſoned, and make fine; and for the fourth, ſhall forbear the Town: and in this manner ſhall it be done to all that offend in like caſe.

XX. The Standard of Buſhels, Gallons, and Elns, ſhall be ſigned with an Iron Seal of the Kings; and no Meaſure ſhall be in any Town, unleſs it do agree with the Kings Meaſure, and be marked with the Seal of the Shire-Town.

XXI. If any do ſell or buy with Meaſures unſealed, and not examined by the Mayor and Bailiffs, he ſhall be grievouſly amerced.

XXII. All Measures shall be viewed twice every year; and if any be convict of a double Measure, he shall be imprisoned, and grievously punished.

XXIII, The Standard, Bushels and Elns shall be in the custody of the Mayor and Bayliffs, and of six lawful persons of the Town being sworn, before whom all Measures shall be sealed; and no grain shall be sold by the heap or Cantel, except it be Oats, Malt, and Meal.

XXIV. No Fore-staller shall be suffered to dwell in any Town; and if any be convict of that offence, for the first time he shall be amerced, and lose the thing so bought; for the second, shall have judgment of the Pillory; for the third, shall be imprisoned and make fine; and for the fourth, shall abjure the Town: and like judgment also shall be given his accessaries.

XXV. *An Ordinance for measuring of land*, 34 *E.*1. *See the Statute at large.*

XXVI. **Stat.** 14 *E.*3.12. There shall be one Weight and one Measure through the Realm of *England*; and the Treasurer shall cause to be made certain Standards of bushels, gallons, and weights of brass, and shall send them into every County where such Standards are not already sent: and thereupon shall be assigned two sufficient persons of every County (or more if need be) to survey Weights and Measures, according to the Standard, who shall have power to hear, determine, and punish all those that shall be thereof found guilty, and to command the Sheriff to imprison them, till they shall make fine to the King.

XXVII. The said Officers shall every year, the next day after the Feast of Saint *Michael*, deliver their Estreats into the Exchequer, and take for their expences a fourth part of that they can levy, and shall answer the King the other three parts, and the fourth part also of that they cannot levy, shall be answered them in the Exchequer, and the other three parts shall be levied for the Kings use.

XXVIII. **Stat.** 25 E.3.9. Auncel weight shall be quite put out, and weighing shall be by equal balance, *Stat.* 34 E.3.5.

XXIX. **Stat.** 25 *E.*3.10. Every Measure shall be according to the Kings Standard, and shall be striked without heap, saving the rents of Lords: and the King will assign certain Justices in every County to inquire, hear, and determine upon the points aforesaid, and to inflict punishment according to the trespass.

XXX. **Statutum Stapal.** 27 E. 3. 10. There shall be one weight and one measure, and none shall use any deceit in weighing commodities by an uneven tongue of the ballance, or by putting hand

hand, foot, or other touch, in pain to forfeit the value of the commodities ſo weighed, to ſuffer one years impriſonment, and to be ranſomed at the Kings will; and the party grieved ſhall recover quadruple damages.

XXXI. There ſhall be Juſtices aſſigned to enquire of ſuch treſpaſſes, and to do right as well at the Kings Suit, as at the ſuit of the party.

XXXII. **Stat.** 13 *R.* 2. 9. There ſhall be one weight and and meaſure throughout *England*, and he that ſhall be convicted to have uſed any other, ſhall ſuffer ſix months impriſonment, and yield double damages to the party grieved: except in *Lancaſhire*.

XXXIII. **Stat.** 15 *R.* 2. 4. Eight buſhels of Corn ſtriked ſhall be accounted a Quarter, as well by Water as by Land; and none ſhall buy otherwiſe, in pain to forfeit the Corn or Malt bought.

XXXIV. **Stat.** 16 *R.* 2. 3. All Weights and Meaſures ſhall be according to the Standard of the Exchequer: And the Clerk of the Market ſhall have all his weights and meaſures ready, together with marks of the Exchequer, and ſhall carry and bring them with him, when he makes eſſay of Weights and Meaſures: neither ſhall he nor any other uſe any other, upon the pains ordained by former Statutes.

XXXV. **Stat.** 1 H. 5. 10. No Purveyor of the King, nor any other ſhall buy or take any Corn by any other meaſure, than eight Buſhels ſtriked for the Quarter, and payment ſhall be made in hand for the carriage.

XXXVI. If any Purveyor offend herein, he ſhall incur a years impriſonment, and forfeit 5 *l.* to the King, and as much to the party grieved: And nothing ſhall be taken for the meaſuring of Corn.

XXXVII. Juſtices of Peace have power to hear and determine theſe offences.

XXXVIII. **Stat.** 2 H. 6. 11. The Tun of Wine ſhall contain 252 gallons Engliſh meaſure, the Pipe 126 gallons, the Barrel of Herrings or Eels ſhall contain 30 gallons, the Butt of Salmon 84 gallons; and ſo of other leſſer meaſure after the ſame rate.

XXXIX. None ſhall import or make any veſſel contrary to this Act, in pain to forfeit the Commodities therein contained to the Lord of the Town, where they are found, whereof the Proſecutor ſhall have the fourth part.

Juſtices

XL. Juſtices of Peace and Mayors, and Bailiffs, having power to inquire of the Peace) have power to hear and determine theſe offences.

XLI. **Stat.** 8 H. 6.5. Every City, Borough, and Town within *England*, ſhall have a common Balance, with common weights ſealed, and according to the Standard of the Exchequer upon the common coſts of the ſaid City, Borough or Town in the keeping of the head Officer or Conſtable there, in pain that the City for ſuch default ſhall forfeit 10 *l.* to the King, the Borough 5 *l.* and every other Town 40 *s.*

XLII. At this Balance all the Inhabitants may weigh *gratis*, but a forreigner ſhall for every draught under 40 *l.* pay a farthing, for a draught betwixt 40 *l.* and an hundred, an half penny: and for a draught betwixt an hundred and a thouſand, a penny: whereof the weights ſhall be maintained, and the Officers which attend that ſervice rewarded at the diſcretion of the ſaid inhabitants.

XLIII. Juſtices of Peace, Mayors, Bayliffs, and Stewards of Franchiſes have power to hear and determine theſe offences.

XLIV. **Stat.** 9 H. 6. 6. The Burgeſſes of *Dorcheſter* ſhall not be diſturbed by the Statute of 8 H. 6. 5. to uſe their weighing within 12 miles compaſs of that Town: ſo as they uſe ſuch weights, as in the ſaid Statute are expreſſed.

XLV. **Stat.** 9 H. 6. 8. A weigh of Cheeſe ſhall conrain 32 Cloves, and every Clove ſeven pound.

XLVI. **Stat.** 11 H. 6. 8. The *Stat.* of 1 H. 5. 10. and 8 H. 6. 5. ſhall be duly put in execution.

XLVII. In every City, Borough and Town, there ſhall be a common buſhel ſealed, and according to the Standard, in like manner and pain as in the ſaid Statute of 8 H. 6. 5. is ſpecified for a common balance.

XLVII. All Juſtices of Peace, Mayors, and Head-Officers ſhall have power to hear and determine the offences committed againſt the ſaid Statutes by examination or inquiſition, and as well at the ſuit of the King, as of the party grieved.

XLIX. The Mayor of *London*, and all other Mayors and Bayliffs on their oaths ſhall be charged to keep and execute all the ſaid Statutes, and ſhall be accountable in the Exchequer for all profits and forfeitures which ſhall grow due thereupon to the King.

L. **Stat.** 1 R. 3. 13. The contents of every veſſel of Wine and Oyl, and they ſhall not be ſold, until they be gauged by an officer to be appointed by the King for that purpoſe: The Meaſures are theſe, a Tun of wine 252 gallons, A Pipe 126, A Tertian 84. A

Hogſhead

Hogſhead 63. A Barrel 31 and a half, and a Rundlet 18 and an half.

LI. **Stat.** 7 H. 7.4. (*Or according to* Raſtal, *Cap.* 3.) Meaſures and Weights of braſs ſhall be ſent to every City and Borough, there to be kept as their treaſure, according to which all Meaſures and Weights in every County ſhall be reformed.

LII. The Mayor or chief Officer of every ſuch place ſhall have a ſpecial mark wherewith he ſhall ſeal the ſaid meaſures and weights; And ſhall take for ſealing of a Buſhel a penny, and of every other meaſure an half penny; For an hundred weight a penny, for half an hundred an half peny; And for every leſs weight a farthing.

LIII. If he refuſeth or delayeth to ſeal them, or do any thing contrary to this Act, he ſhall forfeit 40 s. to be divided betwixt the King and the party grieved, and to be recovered by action of debt, wherein no wager of Law ſhall be admitted.

LIV. Juſtices of Peace have power to hear and determine the ſaid defaults.

LV. **Stat.** 11 H.7.4. Meaſures and Weights of braſs ſhall be ſent to Cities and Boroughs there eſpecially named.

LVI. Only Cities, Boroughs, and Market-Towns ſhall be enjoyned to have common balances, weights, and meaſures, and all other Towns ſhall be excuſed, notwithſtanding the Statutes of 8 H.3. 6. and 11 H.6.8. above mentioned.

LVII. The Mayors and chief Officers of the ſaid Cities, Boroughs and Market-Towns, which ſhall have delivered unto them ſuch weights and meaſures ſealed with the letter *H.* crowned, (*or with the firſt letter of the name of the King of England for the time being*) ſhall have authority and power to ſign like weights and meaſures unto any of the Kings Subjects (duly requiring the ſame) taking for the marking of every buſhel only one peny.

LVIII. None ſhall buy or ſell with any other weights or meaſures in any City, Borough, or Market-Town, but ſuch as are ſo marked, nor in any other place, with a buſhel, which is not ſo marked.

LIX. Mayors and chief Officers, ſhall at leaſt once every year view all meaſures and weights within their juriſdictions, and break or burn them which they find defective, and alſo inflict puniſhment upon the offenders, *viz.* for the firſt offence 6 *s.* 8 *d.* for the ſecond 13 *s.* 4 *d.* and for the third 20 *s.* and beſides, adjudg them to the Pillory.

LX. Two Juſtices of Peace (one *Quorum*) have authority as well by examination as inquiry, to hear and determine the defaults of Mayors, and other head Officers; and alſo of buyers and ſellers

contrary

contrary to this Act, and to ſet fines and amerciaments upon the offenders at their diſcretion: and the defective weights and meaſures are to be forfeited and burnt.

LXI. Eight buſhels of corn raiſed and ſtricken ſhall be accounted a Quarter, 14 *l.* a ſtone of wooll, and 26 ſtone a ſack: Howbeit, this Act ſhall not extend to any perſon ſelling or buying by water-meaſure within Ship-board, whereof every buſhel ſhall contain five pecks raiſed and ſtricken.

LXII. Within the Cinque-Ports the Lord Warden or his Lieutenant ſhall order the weights and meaſures.

LXIII. **Stat.** 12 H. 7. 5. A Buſhel ſhall contain eight gallons of wheat; and every gallon 8 pounds of wheat, *Troy*-weight, and every pound 12 ounces; and every ounce 20 Sterlings, (*or penny weights*) every Sterling ſhall weigh 32 grains of wheat, that grew in the midſt of the ear of wheat, and a Standard for the Kings Treaſury is to be made according to this Aſſize.

LXIV. Whereas weights and meaſures, ſet down to Cities and Boroughs laſt year by the *Stat.* of 11 H. 7. 4. were found defective, others more perfect ſhall be ſent thither, at the charge of the ſaid Cities and Towns; according to which all other weights and meaſures ſhall be regulated, upon the pains in the ſaid Statute contained.

LXV. **Stat.** 28 H. 8. 14. *in fine.* The Statute of 1 R. 3. 13. and all other Statutes made for the due gauging and meaſuring of Wine, Oyl, Honey, and other Liquors, ſhall be duly put in execution.

LXVI. Every Gauger ſhall duly gauge all the ſaid Veſſels, and mark upon the head of each of them the true content thereof, in pain to forfeit to the buyer thereof the quadruple value of that it wants, beſides coſts of ſuit: The Merchant alſo ſhall recompence the buyer what it wants, according to the value of the veſſel bought, in pain to forfeit to the buyer the double value of ſuch veſſel ſold, together with coſts of ſuit.

VVhite Aſhes.

* I. **Stat.** 2, 3. E. 6. 26. None ſhall ſhip, lade, carry, or convey any White Aſhes towards the parts beyond Sea, in pain to forfeit for every buſhel 6 *s.* 8 *d.* to be divided betwixt the King and the proſecutor.

Whitegate.

VVhitegate.

I. **Stat.** 33 H.8.32. The Church of *Whitegate* in *Cheshire* shall be a Parish Church, and no part of the Parish of *Over*.

VVild-fowl.

* I. **Stat.** 25 H. 8. 11. None shall destroy or take away the eggs of any Wild-fowl, in pain to forfeit for every egg of a Crane or Bustard so taken or destroyed, 20 *d.* of a Bittern, Hern, or Shoveland, 8 *d.* and of a Mallard, Tele, or other Wild fowl, 1 *d.* to be divided betwixt the King and the prosecutor: And the Justices of Peace have power to enquire, hear, and determine offences of this kind, as they use to do in cases of trespass.

VVills.

I. **Merton,** 2. 20 H.3. Widows may bequeath the crop of their ground, as well of their dowers as other lands, saving to the Lords of the Fee all such services as be due for their dowers or their tenements.

II. **Stat.** 32 H.8.1. Every person having Mannors, Lands, Tenements, or Hereditaments, holden in soccage, or of the nature of soccage-tenure, and not having any such Mannors, Lands, &c. holden of the King by Knight-service, Soccage, Tenure in chief, or of the nature of Soccage-tenure in chief, nor of any other person by Knight-service, shall have power to give, dispose, will, and devise, as well by his last Will and Testament, in writing, or otherwise by any act executed in his life, all such Mannors, Lands, &c. at his pleasure.

III. Every person having Mannors, Lands, &c. holden of the King in Soccage, or of the nature of Soccage in chief; and having any other Mannors, Lands, &c. holden of any other person in Soccage, or of the nature of Soccage, and not having any Mannors, Lands, &c. holden of the King or any other by Knight-service, shall have power to give, will, dispose and devise, as well by his last Will and Testament in writing, as otherwise by any act executed in his life, all such Mannors, Lands, &c. or any of them at his pleasure.

IV. Howbeit, all such *primer seisins*, reliefs, fines for alienation, and all other rights and duties for tenures in soccage, or in the nature of soccage in chief, as have been heretofore used, are saved to the King,

King, and the ſaid Mannors, Lands, &c. are to be taken, had, and ſued out of the Kings hands by the perſon or perſons, to whom they ſhall be ſo diſpoſed, willed, or deviſed, in like manner as hath been uſed by any heir or heirs, before the making of this Statute.

V. Every perſon having Mannors, Lands, &c. of eſtate in inheritance, holden of the King in chief, by Knight ſervice, or of the nature of Knight ſervice in chief, hath power by his laſt Will in writing, or by any other Act executed in his life, to give, diſpoſe, will, or aſſign two parts thereof in three parts to be divided, or elſe ſo much thereof as ſhall amount to the yearly value of two parts thereof in three parts to be divided in certainty, and by ſpecial diviſions, that it may be known in ſeveralty, for the advancement of his wife, preferment of his children, and payment of his debts, or otherwiſe at his pleaſure.

VI. Here alſo the cuſtody, wardſhip, and *primer ſeiſin*, or any of them, as the caſe ſhall require, of as much of ſuch mannors, lands &c. as ſhall amount to the clear yearly value of the third part thereof: As alſo all fines for alienation, upon ſuch alteration of the Freehold or inheritance, are ſaved to the King.

VII. Every perſon having Mannors, lands, &c. of eſtate or Inheritance, holden of the King in chief by knight-ſervice, and having other Mannors, lands, &c. holden of the King or any other by knight-ſervice or otherwiſe, hath power to give, diſpoſe, will, or aſſign, by will in writing, or otherwiſe by Act executed in his life, two parts thereof in three parts to be divided, or ſo much thereof as ſhall amount to the yearly value of two parts thereof, to be ſevered as aforeſaid, for the advancement of his Wife, preferment of his children, and payment of his debts, or otherwiſe at his pleaſure.

VIII. Here likewiſe the cuſtody, Wardſhips, *primer ſeiſin*, and fines for alienations are ſaved to the King, as before.

IX. Every perſon having mannors, lands, &c. of eſtate of inheritance, holden of any other Lord by Knight-ſervice, and other Lands in Soccage, or of the nature of Soccage, may give, diſpoſe, or aſſure by will or otherwiſe by Act executed in his life, two parts of the knight-ſervice land, or ſo much thereof as ſhall amount to the yearly value of two parts as aforeſaid; and alſo all the ſoccage-land at his pleaſure: ſaving to ſuch Lord (for his cuſtody and wardſhip) ſo much of the knight-ſervice land, as ſhall amount to the yearly value of the third part thereof.

X. Every perſon having mannors, lands, &c. holden of the King by Knight-ſervice, and not in chief, or any mannors, lands, &c. holden of the King by Knight-ſervice, and not in chief, and other mannors,

nors, lands, &c. holden of any other perſon by knight-ſervice, and alſo other mannors, lands, &c. holden of any other perſon in ſoccage, or in the nature of Soccage, may give, diſpoſe, will, deviſe, and aſſure, by his laſt Will, or otherwiſe by act executed in his life, two parts of the ſaid Knight-ſervice-Land, or ſo much thereof, as ſhall amount to two parts of the yearly value thereof, as aforeſaid, and all the ſoccage-land, at his will and pleaſure: Howbeit, here alſo the cuſtody and Wardſhip of ſo much of the ſaid Knight-ſervice, mannors, lands, &c. as ſhall amount to the yearly value of the third part thereof, are ſaved to the King, and other Lords reſpectively; and if the King or other Lord have not (in this caſe) a full third part ſet out for them, they may (reſpectively) take into their poſſeſſion ſo much of the other two parts, as will make it a full third part.

XI. Provided, that all perſons ſhall ſue liveries for poſſeſſions, reverſions, or remainders, and pay reliefs and heriots, as they did before the making of this Act.

XII. Fines for alienations ſhall be paid in Chancery upon Writs of entry in the *Poſt* for common recoveries ſuffered of any Mannors, Lands, &c. holden of the King in chief, in like manner, as upon alienations of ſuch Mannors, Lands, &c. by fine, or feoffment: Howbeit no other fine ſhall be paid there for any ſuch Writs, but only ſuch fines for alienation.

XIII. Where two or more hold any Mannors, Lands, &c. of the King by Knight-ſervice, joyntly to them, and the heirs of one of them, and he that hath the inheritance dyeth, his heir being within age, the King ſhall have the Ward and Marriage of ſuch Heir, the life of the freeholder or Freeholders notwithſtanding: ſaving to every Woman her Intereſt of Dower in ſuch lands to be aſſigned out of the two parts thereof, ſevered from the third part, as aboveſaid, and not otherwiſe, and ſaving alſo to the King the reverſions of all ſuch tenants by joynt-tenure and Dower, after the death of ſuch tenants, in caſe they happen to dye during the nonage of the Kings Ward.

XIV. **Stat.** 34. 35 H. 8. 5. Where the Statute of 32 H. 8. 1. mentioneth mannors, lands, &c. of inheritance, it ſhall be expounded and taken of eſtates in fee-ſimple.

XV. Every perſon having a ſole eſtate in fee-ſimple, or ſeized in co-parcenery, or in common in fee-ſimple, in any Mannors, Lands, tenements, rents, or other hereditaments in poſſeſſion, reverſion, or remainder, and having no Mannors, lands, &c. holden of the King; or of any other by Knight-ſervice, may give, diſpoſe, will,

or

or deviſe to any perſon or perſons (except bodies politick and corporate) by his laſt Will and Teſtament in writing, or by Act executed in his life, by himſelf ſolely, or by himſelf and others joyntly, ſeverally, or particularly, or by all thoſe wayes, or any of them, as much as in him of right is, all his ſaid mannors, lands, tenements, rents, and hereditaments, or any of them, or any rents, commons, or other profits out of the ſame, or any parcel thereof, at his free will and pleaſure.

XVI. Every perſon having ſuch an eſtate, or ſeized, as aforeſaid, of or in any mannors, lands, rents, &c. in poſſeſſion, reverſion, or remainder, or of or in any rents or ſervices incident to any reverſion, or remainder holden of the King by Knight-ſervice in chief, or of the nature of Knight-ſervice in chief, may give, diſpoſe, will, or aſſign to any perſon or perſons (except bodies politick and corporate) by his laſt Will and Teſtament in writing, or by an Act executed in his life, by himſelf ſolely, or by himſelf and others joyntly, ſeverally, or particularly, or by all thoſe wayes or any of them (as much as in him of right is) two parts, as well of all the ſaid Mannors, lands, &c. as of all other rents, and hereditaments, or of any of them, or any rents, commons, profits, or commodities out of, or to be perceived of the ſame two parts, or out of any parcel thereof, in three parts to be divided, or as much thereof as ſhall amount to the yearly value of two parts thereof, in three parts to be divided (of what perſon or perſons ſoever they be holden) at his free will and pleaſure.

XVII. Such Will ſo declared ſhall be good for two parts of the ſaid Mannors, lands, &c. although it be made of the whole, or more then the two parts thereof: the ſaid diviſion to be made by the deviſor, or owner of the ſaid Mannors, lands, &c. by will in writing, or otherwiſe in writing: and in default thereof by Commiſſion out of the Court of Wards upon inquiry of the true value thereof, by the oaths of 12 men: and upon return thereof in the ſame Court, the diviſion ſhall be made by the Maſter of the Wards, if the ſaid Maſter and parties cannot otherwiſe agree upon the diviſion: and the iſſues and profits of the two parts ſhall be reſtored to them that ſhall have right thereunto, from the death of the owner or deviſor.

XVIII. Every perſon being ſeiſed ſolely, in co-parcenery, or in common, as aforeſaid, of any mannors, lands rents, &c. in poſſeſſion, reverſion, or remainder, or of any rents or ſervices incident to any reverſion or remainder, holden of the King by Knight-ſervice, and not in chief, or of any other perſon by Knight-ſervice, may give, diſpoſe,

diſpoſe, will, or deviſe to any perſon, (except to bodies politick) by his laſt Will and Teſtament in writing, or by act, executed in his life, ſolely, or joyntly, as aforeſaid, two parts thereof, or any rents, common, or profits, to be perceived out of the ſame two parts, or out of any part thereof, &c. And ſuch Will ſhall be good for ſuch two parts, albeit it be made of the whole lands ſo holden, or of more then the ſaid two parts; and ſhall alſo be good for all lands not holden in Knight-ſervice, and for all rents, commons, and other profits, to be perceived out of the ſame.

XIX. Here alſo, the diviſion of the third part is to be made, as before, where it concerns the Kings Intereſt, but where it concerns other Lords, the diviſion ſhall be by Commiſſion out of the Chancery, if ſuch Lords and the parties in the mean time cannot agree thereupon.

XX. The ſavings (in this Act, and in that of 32 H. 8. 1.) of cuſtody, wardſhip, relief, and *primer ſeiſin* to the King, and of cuſtody and wardſhip to other Lords, ſhall be expounded thus: That the King ſhall have for his full third part ſuch mannors, lands and tenements, as ſhall deſcend, as well in fee-tail, as in fee-ſimple, to the heir of the perſon, that made ſuch Will or diſpoſition, as aforeſaid; and that the will or gift of the two parts ſhall be good in Law, albeit the will or gift be made of all the fee-ſimple lands, or the more part thereof: Howbeit if the King have not a full third part left him, he ſhall take out of the two parts ſo much as ſhall make it up, to be ſevered by commiſſion, as aforeſaid; and ſuch advantage alſo is given to other Lords for their third parts; and the like ſhall both the King and they do, in caſe their third parts, or any parcel of them be evicted from them or determined.

XXI. A Pardon of alienation muſt be ſued by thoſe to whom lands are deviſed, for which they ſhall pay a third part of the value of the lands, holden in chief; and this Act ſhall be ſufficient warrant for the Lord Chancellor to grant ſuch pardons under the Great Seal, without further ſuit to be made to the King for the ſame.

XXII. Wills or Teſtaments of mannors, lands, &c. made by *femes covert*, Infants, Idrots, or perſons of *non ſane* memory, ſhall not be good in Law.

XXIII. If any perſon or perſons ſhall (by will or act executed) make any eſtate for years, life, or lives, with one remainder over in fee, or with divers remainders over for term of life, years, or in tail, with a remainder over in fee-ſimple, or any other eſtates, conditions, meſnalties, tenures, or conveyances, by fraud and covin, to

the intent to defraud the King of his Prerogative, *primer ſeiſin*, livery, relief, wardſhip, marriages, or rights, or any other Lords of their wardſhips, reliefs, heriots, or other profits, and ſuch eſtates or other conveyances be found by office to be ſo made by coyin, fraud, or deceit: In this caſe, the King ſhall enjoy his Prerogatives and profits aforeſaid, according to this and the ſaid former Act (notwithſtanding ſuch eſtates or conveyances) until ſuch office be annulled by traverſe, or otherwiſe: Alſo other Lords ſhall have their remedy in ſuch caſes, for their wardſhips, by writ of right of ward, and ſhall diſtrain, and make avowry, or conuſance by themſelves or their Bailiffs, for their reliefs, heriots, and other profits, as if no ſuch eſtate had been made: Howbeit the right and title of the donees, feoffees, leſſees, and deviſees thereof, againſt the deviſors and his heirs, after the intereſt of the King and other Lords determined, are ſaved.

XXIV. Provided, that every perſon, from whom the King or other Lord ſhall take any mannors, lands, &c. for their third part, or to make it up, may have relief in Chancery againſt every perſon, who ſhall be intituled (by any ſuch will or gift) to the other two parts, to have ſuch contribution for the ſame, as the Lord Chancellor or Keeper ſhall think convenient.

VVines.

I. **The Statute of Gloceſter**, 13. 6. E. 1. The Mayor and Bailiffs (*now Sheriffs*) of *London*, before the coming of the Barons (*which ſhould be at their riſing after* Candlemas-*term, as appears by the* 14. *Chapter of this Statute*) ſhall inquire of Wine ſold againſt the Aſſize, and ſhall preſent it before them at their coming, and then they ſhall be amerced, whereas they were wont to tarry, until the coming of the Juſtices. *Obſolete.*

* II. **Stat.** 4. E. 3. 12. None ſhall ſell Wines but at a reaſonable price, according to the price at the Ports from whence they come, and the expence of their carriage to the places where they are ſold: Tryal ſhall be made of ſuch Wines twice a year, *viz.* at *Eaſter* and *Michaelmas*, and Officers if need require, by the Lords of Towns, and their Bailiffs, and likewiſe by Mayors and Bailiffs, and all corrupt Wines ſhall be poured out, and the veſſel broken; Alſo the Chancellor, Treaſurer, Juſtices of the Benches, and Juſtices of Aſſize, ſhall have power to inquire of Mayors, Bailiffs, and Miniſters of Towns, that do not obſerve this Ordinance, and to puniſh them as reaſon requires.

Stat.

III. **Stat.** 27. E. 3. Stat. 1. cap. 5. No Engliſh Merchant ſhall foreſtal *Gaſcoign* Wines, nor buy them of any *Gaſcoign* or other, to pay in *England*, for any greater price, then they are commonly ſold at in *Gaſcoign* (becauſe of Preſt, peril of the Sea, and by any other colour) in pain of life and member, and to forfeit their Wines, Goods, and Chattels to the King, and their lands to the chief Lords: *But here the felony and forfeiture of lands are repealed by* 37 E. 3. 16. *Ob.*

IV. *Cap.* 6. *Gaſcoign* Merchants, and other ſtrangers, may bring their Wines to what Port of *England* they pleaſe; ſo as the Kings Butler may make purveyance for Wines of Aliens, making payment for them within 40 days. *Ob.*

V. *Cap.* 7. No Engliſh Merchant ſhall buy Wines in *Gaſcoign* before the Vintage: Nor then, but at *Burdeaux* and *Bayon*, upon the pain mentioned in the 5th Chapter. *But that as to the felony and forfeiture of Lands is repealed by* 37 E. 3. 16. *as aforeſaid. Obſolete.*

* VI. **Stat.** 37. E. 3. 16. The felony and forfeiture of lands inflicted by 27 E. 3. 5. & 7. are repealed, and inquiry ſhall be yearly made within the Kings dominions in *Gaſcoigne* of *Couchers* of *England*, who lie there to buy Wines. *Obſolete.*

VII. **Stat.** 38. E. 3. 10. A confirmation of the Statutes made for wines. *Obſolete.*

VIII. **Stat.** 38. E. 3. 11. All Merchants, Denizens, that be not Artificers, may go into *Gaſcoign*, to fetch wines, and Aliens may bring wines into this Realm.

IX. **Stat.** 43 E. 3. 2. Engliſh, Iriſh, and Welſh-men (being not Artificers) may fetch wine in *Gaſcoigne*, ſo as they find ſureties to buy 100 Tun of their own goods, and to bring the ſame into *England*, *Ireland*, or *Wales*.

X. **Stat.** 6. R. 2. Stat. 1. 7. Sweet wines ſhall be ſold in *England* at the price, that *Gaſcoign* and *Rhenish* wines are ſold for, and not above, in pain to forfeit the ſame.

XI. **Stat.** 23 H. 6. 18. No new impoſitions ſhall be laid upon them, that buy wines in *Gaſcoign* and *Guienne*, by any of the Kings Officers in thoſe parts, in pain of 20 *l.* and treble damages. *Obſolete.*

* XII. **Stat** 28. H. 8. 14. The Lord Chancellor, Treaſurer, Preſident of the Council, Privy Seal, and the two chief Juſtices, or five, four, or three of them, have power, at their diſcretions, to ſet the prices of all kinds of wines, *viz.* of the But, Tun, Pipe, Hogſhead, Puncheon, Tierce, Barrel, or Runlet, when they ſhall be ſold in groſſe; ſo as they cauſe the prices ſo ſet to be written, and openly

proclaimed in Chancery in the Term-time, or elſe in the City, Burrough, or town, where any ſuch wines are ſold in groſſe.

XIII. None ſhall ſell wine otherwiſe, then according to the prices ſo ſet and proclaimed, as aforeſaid, in pain to forfeit 40 *l.* for every veſſel otherwiſe ſold, to be divided (in a Corporation) betwixt the King and the Head Rulers there, but (out of a Corporation) betwixt the King and the Proſecutor.

XIV. Juſtices of Peace and Head Officers have power to hear and determine the defaults of all ſuch as ſell wine in groſſe, or by retail contrary to this Act.

XV. Stat. 32 H. 8. 23. The great Officers appointed by the Statute of 28 H. 8. 14. to ſet prices upon wines, ſhall ſo ſet them between the 20 day of *November* and the laſt day of *December*, and at no time elſe; and none, that ſell wines either in groſſe, or by retail, ſhall ſell them above thoſe prices, upon the penalties in the ſaid Statute of 28 H. 8. contained.

XVI. If any refuſe to ſell their wines accordingly; In *London*, the Mayor, Recorder and two ancient Aldermen, being no Vintners, and in other places, the Mayor, Bailiffs, Aldermen, or other Officers, whereof the chief Officer is to be one, may enter the houſes of ſuch perſons, and ſell their wines at the prices ſo aſſeſſed, as aforeſaid.

☞XVII. Stat. 7. E. 6. 5. None ſhall utter wine by retail, in any other places then in Cities, Burroughs, Port Towns, or Market Towns, or in *Graveſend*, *Sittingborn*, *Tuxford*, or *Bagſhot*, in pain to forfeit ten pounds for every day that they ſell Wine otherwiſe.

XVIII. None ſhall utter wine by retail in any City, Burrough, or Corporation, but by licence of the moſt part of the Common Council, Aldermen, Burgeſſes, or Communalty there, under their common ſeal, nor in any City, Burrough, Port-Town, or Market-Town not corporate, or in *Graveſend*, *Sittingborn*, or *Bagſhot*, without licenſe of the Juſtices of Peace of the County in Seſſions, under their ſeal, in pain to forfeit 5 *l.* for every day that they ſell wine otherwiſe, which ſaid Officers, Communalty, and Juſtices, have power to continue or change ſuch licences at their diſcretions; but ſhall not licenſe above two in one place, in pain to forfeit 5 *l.* a piece, except in theſe hereafter following, in which it ſhall be lawful to licenſe more then two, *viz.* in

London

London	40	Shrewsbury	3	Southampton	3
York	8	Exeter	4	Canterbury	2
Norwich	4	Salisbury	3	Ipswich	2
Westminster	3	Glocester	4	Winchester	3
Bristol	6	Westchester	4	Oxford	3
Lincoln	3	Hereford-East	3	Cambridge	4
Hull	4	Worcester	3	Colchester	3
				Newcastle	4

XIX. None shall sell or utter wine by retail to be spent in his or their Mansion-house, or in any other place in their tenure, by any colour, craft, or engine, in pain of 10 *l.*

XX. The aboveſaid forfeiture ſhall be divided betwixt the King and the Proſecutor.

XXI. Juſtices of Peace within every County and Corporation in Sellions, Stewards in Leets, and Sheriffs in their turns, have power to enquire (by the oaths of 12 men) of all offences committed againſt this Act; in which caſe the forfeitures, which ſhall thereupon grow due, ſhall be divided betwixt the King and the poor of the Town or place, where the preſentment ſhall be found.

XXII. This Act ſhall not prejudice the liberties of either of the Universities, nor charge any perſon offending, unleſs the ſuit be proſecured within a year.

XXIII. **Stat. 12 Car. 2. cap. 25.** None ſhall ſell or utter wines by retail, upon pain to forfeit 5 *l.* the one moyety to the King, the other to him that ſhall ſue for the ſame.

XXIV. The King may grant Commiſſion to two or more perſons, who may licenſe and authoriſe the ſelling of Wine by retail, according to the rules and directions in this Act, and not otherwiſe.

XXV. Such perſons Commiſſionated, ſhall be called the Kings Agents for granting wine Licenſes, and may grant Licenſes not exceeding 21 years, if the party licenſed ſo long live, under a Rent yearly, but no fine to be paid.

XXVI. Licenſes ſhall be granted onely to ſuch perſons as uſe the Trade of ſelling Wines by retail, or to the Landlord of the houſe; and may not be aſſigned, nor ſhall indempnifie any againſt the penalties of this Act, ſave the firſt taker.

XXVII. They may appoint Officers for managing that ſervice, ſo as their Sallaries exceed not 6 d. in the pound of the yearly Revenue thence.

XXVIII. The ſaid Revenue ſhall be paid into the Exchequer and not to be charged with any gift or Penſion; and the Agents ſhall every Michaelmas Term, return into the Exchequer, what Licenſes they have granted, and the Rents reſerved and paid, and the arrears, to the end Proceſs may iſſue for the ſame.

XXIX. Proviſo, not to extend to prejudice any priviledges of the two Univerſities: nor to prejudice the priviledges of the Society of Vintners *London*, nor any other Town Corporate: nor the Burrough of St. *Albons*, in their priviledges granted by Letters Pattents of Queen *Elizabeth*, for maintenance of the Free-School there.

XXX. No Officer appointed by the King for this ſervice ſhall receive any Fees or rewards, for the ſame other then 5*s*. for a Licenſe, 4*d*. for an Acquittance, and 6 *d*. for a Bond, upon pain of 10 *l*. one moyety to the King, the other to the perſon that will ſue for the ſame.

XXXI. None ſhall abuſe or mix any wines, with any other Ingredients, upon pain of forfeiture of 100 *l*. by every Merchant, Wine-Cooper, or other ſelling wines in groſſe. And 40 *l*. by every perſon ſelling wines by retail for ſuch mixing, corrupting or abuſing of wines: the one moyety to the King, the other moyety to the perſon that ſhall ſue for the ſame.

XXXII. No Canary wines, Muskadel, or Alegant, ſhall be ſold within *England* Wales or *Berwick*, by retail, for above 18 *d*. the quart: No *Gaſcoigne* or French wines, for above 8 *d*. the quart. No Rheniſh wines for above 12 *d*. the quart; and ſo proportionably for more or leſs quantity, upon pain of 5 *l*. forfeiture for every Statute quart, *&c*. or other meaſure ſold for more: the one moyety to the King, the other moyety to him that ſhall ſue for the ſame.

XXXIII. Provided, the Lord Chancellor, *&c*. may ſet the prices of wines yearly, or alter the ſame; and in default of ſuch ſetting of prizes, the Rates ſet by this Act, to continue under the penalties, recoverable as aforeſaid.

XXXIV. See Poſt-Office. Numb. 4.

Witneſſe.

I. **Stat.** 12. E. 2. 2. When a deed or other writing is denyed in Court, wherein witneſſes are named, proceſſes ſhall be awarded to cauſe them to appear; and if they come not at the great diſtreſs returned, or the return be, that they have nothing, or that they cannot be found, yet the Enqueſt ſhall proceed; but if the witneſſes appear at the great diſtreſs, and the Enqueſt for ſome cauſe remain un-

untaken, the witneſſes ſhall have like day given, as is aſſigned for the taking of the Enqueſt, when if they appear not, the iſſues firſt returned upon them ſhall be forfeit; and the taking of the Enqueſt ſhall not be deferred becauſe of their abſence, neither yet for the abſence of witneſſes dwelling in a Franchiſe where the Kings writ runs not.

II. **Stat. 5. El. 9. Pars inde.** None ſerved with proceſs out of a Court of Record, to teſtifie as a witneſs (being tendered convenient charges, and having no reaſonable let) ſhall therein make default, in pain to forfeit to the party grieved 10 *l.* and beſides to yield him ſuch further recompence, as the Judge of the ſame Court ſhall think fit, according to the damage ſuſtained: which ſaid ſums ſhall be by him recovered in any Court of Record by Action of debt, in which no wager eſſoin, &c. ſhall be allowed.

☞ Wood.

* I. **Stat. 35. H. 8. 17.** In every ſeveral Wood, called Copice, or Underwood, which ſhall be felled at 24 years growth or under, there ſhall be left unfelled for every acre thereof 12 Standils of Oak, and in caſe there ſhall not be ſo many Oaks, that number ſhall be made up of Elm, Aſh, Aſpe, or Beech, which Standils or Storers ſhall not be cut down until they ſhall bear ten Inches ſquare within 3 foot of the ground; in pain that every owner of ſuch woods, ſhall forfeit for every Standil not ſo left, 3 *s.* 4 *d.* and alſo for every ſuch Standil ſo left and afterwards cut down, as much: Both which forfeitures ſhall be divided betwixt the King and the Proſecutor.

II. Underwoods felled at 14 years growth or under, ſhall during 4 years next after the 20. of *April* after their felling be preſerved from deſtruction of Cattel, in pain that the owner thereof ſhall forfeit for every rood thereof unfenced for every month 3 *s.* 4 *d.* And underwoods above 14 years growth, and under 24. being ſo felled, ſhall during 6 years next after the 20 of *April*, after ſuch felling be ſo preſerved, as aforeſaid, upon the like pain.

III. None ſhall convert into Paſture or Tillage, any ſuch underwood or Copice, containing two Acres or above, and being two furlongs diſtant from the houſe of the owner thereof, or from the houſe, whereunto ſuch wood doth appertain, in pain to forfeit 40 *s.* for every Acre ſo converted.

IV. The owner of Copices above twenty four years growth, ſhall at the felling thereof, leave 12 ſuch Standils of Oak, or otherwiſe of Elm, Aſh, Beech, or Aſp, as aforeſaid, in pain to forfeit 6 *s.* 8 *d.*

for every Standil not ſo left: And ſhall not cut them down before they are of two years growth, in pain of 6 s. 8 d. for every one ſo cut down: And farther ſhall preſerve ſuch underwoods ſeven years after their felling from the deſtruction of Cattel by fencing; in pain to forfeit for every rood thereof unfenced for every month 3 s. 4 d.

V. Howbeit, the owner of ſuch underwoods may fell ſuch Standils as aforeſaid for his own uſe, for building, repairing, incloſing, and maintaining of houſes, orchards or gardens; or for pailing, railing, or incloſing of Parks, Foreſts, Chaſes, or other grounds, or for making or repairing of Water-works, Dams, Bridges, Floodgates, Ships, or other Veſſels, notwithſtanding this Act.

VI. Where there is ſuch a Wood or Copice, wherein others have common, the Lord (owner of the ſoil) ſhall not fell or cut down the ſame (except to his own uſe) before he and the Commoners ſhall agree in the ſetting out of a fourth part thereof to be ſeverally incloſed for the Lords uſe: And in caſe they cannot agree thereupon, two Juſtices of Peace appointed by the more part of the Juſtices in Seſſions ſhall have power to call together twelve of the Commoners, and Inhabitants there, and with the Lords and their conſent to ſet out the fourth part thereof to be ſeverally incloſed by the ſaid Lord within one month after, and then to be felled at his pleaſure: and alſo to be ſubject to the aforeſaid laws of other Copices, upon ſuch penalties as aforeſaid: Onely if any Beaſt be ſuffered to come into ſuch fourth part within ſeven years after they are felled, the owner of ſuch cattel ſhall forfeit for every ſuch beaſt 4 d. And if the owner of ſuch wood or Copice cut down any trees or underwoods there, contrary to the form aforeſaid, he ſhall forfeit for every tree ſo cut down 6 s. 8 d.

VII. The ſaid forfeitures are to be recovered in any Court of Record, and to be divided betwixt the King and the Proſecutor.

VIII. Here during the ſaid ſeven years next after ſuch felling of ſuch fourth part, the Commoners ſhall be excluded for commoning therein, ſo alſo ſhall the Lord be debarred to common in the reſidue. But after the ſaid ſeven years expired, both the Lord and Commoners may intercommon in the whole, as they did before the diviſion.

IX. Provided, that every one may fell and incloſe all ſuch his copice, or underwoods in waſt grounds, as before this time have uſed to be incloſed, and preſerved for the maintenance of wood and underwood, notwithſtanding this Act.

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X. The Commoners also (in case the said Lord do not fell his fourth part within four months after such division) may common in the said part until it be felled.

XI. This Act shall not extend to Underwoods in the wilds of *Kent*, *Surrey*, and *Sussex*, save onely to the common Woods there.

XII. Neither shall it extend to any Timber-trees, growing within two miles of the Sea, in *Cornwall*, dead at the top, or taken by the Kings Commission: Neither shall any offender be punishable by this Act, unless he be prosecuted within one year after the offence committed.

XIII. None shall break or destroy any fence or hedge made for the saying of any such Woods or Underwoods, in pain of 10 *s.* Neither shall any suffer his Swine (of the age of 10 weeks or above) to go or run in any such Grounds or Woods, unringed or unpegged, in pain to forfeit for them 4 *d.* a piece, which said forfeitures (in the Kings Woods) shall be divided betwixt the King and the finder; But (in other woods) betwixt the owner of the field, and the Prosecutor.

XIV. Underwoods in a Park shall be preserved by fencing onely 4. years after the felling thereof.

XV. If such Woods happen to be destroyed by the means of a stranger, and not by the owner himself or by his neglect, the Stranger shall be subject to the penalties of this Act, and not the Owner.

XVI. Yearling Colts and Calves may be put into such Woods within two years after the felling thereof.

XVII. **Stat.** 1. *El.* 15. None shall convert or imploy to Coal or other fuel, for the making of Iron, any Timber-tree, or trees of Oak, Beech, or Ash, of the bredth of a foot square at the Stub, and growing within 14 miles of the Sea, or of any part of *Thames*, *Severn*, *Wye*, *Humber*, *Dee*, *Tine*, *Tees*, *Trent*, or other Navigable River, in pain to forfeit 40 *s.* for every Tree so converted, to be divided betwixt the King and the Prosecutor.

XVIII. This Act shall not extend to *Sussex*, the wild of *Kent*, or to the Parishes of *Charlewood*, *Newdigate* or *Leigh* in the wild of *Surrey*.

XIX. **Stat.** 13 *El.* 25. All Woods or Copices intended by the Statute of 35 H. 8. 17. to be enclosed, and the springs thereof preserved, shall be so saved by the space of two years more then in the several clauses of the said Act is severally limited, according to the age of such Woods felled, upon such pains, as in the said Acts are contained: And none shall put any Cattel into any such

Copice

Copice woods from the time of their ſale, until the end of five years, nor from the end of five years until the end of ſix years, any Cattel but Calves and yearling Colts onely, until the end of ſix years, if the wood was under 14 years growth at the laſt fall, or until the end of 8 years, if it was above 14 years growth. And this Addition ſhall continue as long in force, as the ſaid Statute of 35 H. 8. 17.

XX. **Stat.** 23 *El.* 5. None ſhall convert into Coal or other fuel for the making of Iron or Iron Mettal, any Wood or Underwood, growing within the compaſs of 22 miles of *London*, or the Suburbs thereof, or of the River of Thames from *Dorcheſter in Com. Oxon.* downwards, or within four miles of the foot of the *Downs*, betwixt *Arundel* and *Pemſey in Com. Suſſex*, or of *Winchelſey*, or *Rie*, or within two miles of *Pemſey*, or three miles of *Haſtings*: in pain to forfeit for every load ſo converted 40 *s.* to be divided betwixt the Queen and the Proſecutor.

XXI. This Act ſhall not extend to any woods growing in any ſuch part of the wildes of *Surrey*, *Suſſex*, or *Kent*, within 22 miles of *London* or *Thames*, as is diſtant above 18 miles from *London* or *Thames*.

XXII. No new Iron-works, ſhall be erected within 22 miles of *London*, 14 miles of *Thames*, or four miles of the ſaid *Downs*, *Pemſey*, *Winchelſey*, *Haſtings*, or *Rie*, in pain of 100 *l.* to be imployed, as aforeſaid.

XXIII. This Act ſhall not extend to the woods of *Chriſtopher Darrel* Gentleman, in *Newdigate*, in the weld of *Surrey*.

XXIV. **Stat.** 27 *El.* 19. None ſhall make or ſet up within the Counties of *Suſſex*, *Surrey*, or *Kent*, any Iron Mill, furnace, finary, or blomary, for the making of Iron or Iron Mettal, other then upon ſome old Bayes or Pens, whereupon ſuch works have been lately ſtanding, or elſe upon ſuch lands, where ſuch works may be continually furniſhed with ſufficient ſupply of the parties own woods growing upon his own ſoil, being his in fee-ſimple, fee-tail, or for life, without impeachment of waſte; nor ſhall convert to coal or other fuel for the making of ſuch Iron, or Iron-Mettal, any ſound Timber-tree of Oak, Aſh, or Elm, which will bear a foot-ſquare at the ſtub, or any part thereof; in pain to forfeit for every ſuch new work ſet up 300 *l.* and for every Timber-tree ſo converted 40 *s.* to be divided betwixt the King and the Proſecutor.

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XXV. Howbeit, the lops and offal of ſuch Timber-trees, may be converted to Coal for the purpoſes aforeſaid within the welds of *Suſſex*, *Surrey*, and *Kent*; ſo as it be not within eighteen miles of *London*, eight miles of *Thames*, four miles of *Rie* or *Winchelſey*, 3 miles of *Haſtings*, or 4 miles of the foot of the *Downs*, betwixt *Arundel* and *Pemſey* aforeſaid.

XXVI. **Stat.** 15 Car. 2. Cap. 2. Stat. 3. Reciting the Statute 43 *El.* Cap. doth not ſufficiently prevent nor puniſh the cutting and ſpoiling of Woods. Enacted, that every Conſtable, Headborough, and other perſon in every County, City, or other place where they ſhall be Officers or Inhabitants, ſhall and may apprehend, or cauſe to be apprehended, every perſon they ſhall ſuſpect, having, carrying, or conveying any burden or bundel of Wood, Poles, young Trees, Bark, baſt of Trees, Gates, Stiles, Poſts, Pales, Rails, or Hedge-wood, Broom or Furze.

XXVII. And by Warrant under the hand and ſeal of any one Juſtice of the Peace, directed to any Officer, ſuch Officer may enter into, and ſearch the houſes, yards, Gardens, and other places belonging to the houſes of every perſon or perſons they ſhall ſuſpect to have any kind of ſuch Wood, or other the ſaid Trees, &c. and where they ſhall find any ſuch, to apprehend every perſon ſuſpected for cutting and taking the ſame, and as well thoſe apprehended, carrying any kind of wood or other the trees and premiſes: as thoſe in whoſe houſes, or other places belonging to them, any of the ſame ſhall be found to carry before any one Juſtice of the Peace of the ſame County: And ſuch perſons ſuſpected, do not give a good accompt how they came by the ſame by the conſent of the owner, ſuch as ſhall ſatisfie the ſaid Juſtice, or within ſome convenient time to be ſet by the ſaid Juſtice, produce the party of whom they bought the ſaid wood, or ſome credible witneſs upon Oath, to prove ſuch ſale, which Oath the ſaid Juſtice may adminiſter, then ſuch perſons ſo ſuſpected, and not giving ſuch good accompt, nor producing ſuch witneſs, ſhall be judged as convicted, for cutting and ſpoiling of woods, underwoods, poles, trees, gates, ſtiles, poſts, pales, rails, hedge-wood, broome or furze, within the meaning of the ſaid Statute of Queen *Elizabeth*, and lyable to the puniſhments therein, and of this Act appointed.

XXVIII. Every perſon ſo convicted, ſhall for the firſt offence, give the owner ſatisfaction for his damages within ſuch time as the Juſtice ſhall appoint, and over and above, pay down to the Overſeers of the poor of the Pariſh where ſuch offence is, ſuch ſum of money (not

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exceeding 10 s. as the said Justice shall think meet: in default of either of which payments, the said Justice may commit such offender to the house of Correction, for such time (not exceeding one month) as he shall think fit, or to be whipt by the Constable or other Officer, as in his judgement shall seem expedient.

XXIX. And if such persons shall again commit the said offence, and be thereof convicted as before, that then the persons offending the second time, and convicted, shall be sent to the house of Correction for one moneth, and there be kept to hard labour: And for the third offence, convicted as before, shall be adjudged and deemed as Incorrigible Rogues.

XXX. Provided also, whosoever shall buy any burdens of wood, or any the premises mentioned in this Bill, suspected to be stolen, or unlawfully come by, the Justices, Mayors, or chief Officers, or any one of them within their respective Jurisdictions, upon complaint, may examine the matter upon Oath. And if they find the same was bought of any person suspected to have stolne, or unlawfully come by the same, then any one of the said Justices or chief Officer, shall and may award the party that bought the same, to pay treble the value thereof to the party from whom the same was stolne, or unlawfully taken: And in default of present payment, to issue forth their respective Warrants to levy the same by distress, and sale of the offendors goods, rendering the overplus to the party: And in default of such distress, to commit the party to the Goal, at his own will, there to remain one moneth without bail.

XXXI. Provided, no person be questioned for any offence within this Act, unless within 6. weeks after the offence committed.

☞ Woolls.

I. Stat. 18 E. 3. Stat. 2. 3. Every man (as well stranger as other) may buy Woolls, as they can agree with the seller thereof.

II. Statutum Stapul. Cap. 12. None shall transport Woolls, Leather, or Woolfels to *Berwick*, or elsewhere into *Scotland*; neither shall any sell Woolls, Woolfels or Leather to any Scotchman, or to any other, to be transported into *Scotland*, upon the pains contained in the third Article of this Statute, *which see in* Merchants.

Stat.

III. **Stat.** 31 E. 3. 2. No wools shall be bought by fraud to abate the price thereof, upon grievous forfeiture: also balances and weights for wools (*viz.* of the sack, half sack, and quarter: pound, half pound, and quarter) shall be sent to all the Sheriffs of *England*, according to which every person shall make theirs without fee or reward, and none shall buy or sell by any other weight, in pain to be fined at the Kings will.

IV. **Stat.** 31 E. 3. 8. No buyer of wools shall make any other refuse of wools, then hath been heretofore used, *viz.* of cote, gare, and villain fleeces: and every sack shall contain 16 stone, and the stone 14 pound, according to the Standard of the Exchequer: also all wools, fels, and leather bought in the Countrey shall be brought to the staples, and there shall remain 15 dayes at least, and those that cannot be sold in that time, shall be brought to the Ports ordained for the staple, to be transported beyond Sea, paying the due Customs and Subsidies, *viz.* for a sack of wool 50 *s.* for 300 woolfels 50 *s.* and for a last of leather 100 *s.*

V. No wools vendible shall be lodged, shewed, or sold, within 3 miles of the Staple: Howbeit, every one (but a Merchant may lodge, shew, and sell his wools, (being of his own growing) in his own house, or elsewhere at his pleasure.

VI. **Stat.** 31 E. 3. 9. The Chancellor and Treasurer with the advice of others of the Kings Council shall have power to defer the transportation of wools, when they see it needful.

VII. **Stat.** 34 E. 3. 19. No Custom or Subsidy shall be paid for Canvas to pack wool in.

VIII. **Stat.** 36 E. 3. 11. All Merchants may transport wools without restraint, and no Subsidy or other charge shall be from henceforth set, or granted upon wools by Merchants or others, without assent in Parliament.

IX. **Stat.** 38 E. 3. Stat. 1. 1. 6. A repeal of the Felony imposed by the Statute of the Staple, Cap. 3. 27 E. 3. (*which see in* Merchants) for transporting wools, &c. by Englishmen, but the forfeiture of lands and goods shall stand.

X. **Stat.** 43 E. 3. 1. Whereas the Staple of wools, &c. hath been holden at *Calice* since the first of *March*, *Anno* 37 E. 3. That staple shall be wholly put out, and the staple shall be holden in these places following, *viz.* at *Newcastle*, *Kingston* upon *Hull*, Saint *Buttolph*, (*alias Boston*) *Yarmouth*, *Quinborough*, *Westminster*, *Chichester*, *Winchester*, *Exeter*, and *Bristll*, and the staples of *Ireland*, and *Wales*, shall be kept at the places where they were first ordained; *Obsolete.*

Stat.

XI. Stat. 45 E. 3. 4. No impoſition or charge ſhall be put upon wools, woolfels, or leather (other then the cuſtom and ſubſidie granted to the King) without aſſent of Parliament.

XII. Stat. 13 R 2.9. *pars inde.* None ſhall buy or ſell wool at more weight, then at 14 pounds to the ſtone, in pain to forfeit the double to the party grieved, and to make fine to the King.

XIII. None (Alien or Denizen) ſhall make any other refuſe of wool, but Cot, Gare, or Villein.

XIV. None ſhall buy wools by theſe words, *good packing*, or the like, in pain that the Broker ſhall ſuffer half a years impriſonment, and the buyer ſhall make fine to the King, and recompence the party grieved his double damages: neither ſhall any cauſe wools to be cocketed, but in the owners name, in pain to forfeit the ſame.

XV. Stat. 2 H.5. Stat.2.6. Merchandiſe of the Staple, *viz.* wools, fels, leather, lead, or tin, ſhall not be tranſported beyond Sea without the Kings licence, until they be firſt brought to the ſtaple, in pain to forfeit the ſame: *Obſolete.*

XVI. Stat. 8 H.5.2. Every Merchant-ſtranger buying wools in *England* to convey them to the Weſt-parts or elſewhere, and not coming to the ſtaple to ſell them there, ſhall bring to the Maſter of the Mint for every ſack an ounce of Gold Bullion, and for every 3. pieces of tin another ſuch ounce of Bullion, or the value in ſilver Bullion; in pain to forfeit ſuch wool and tin, or the value thereof to the King: *Obſolete.*

XVII. Stat. 8 H.6.22. No Alien ſhall cauſe any wools (which he intends to convey out of the Realm) to be forced, clacked, or bearded; in pain to forfeit the ſame, together with the double value thereof, and beſides to be impriſoned.

XVIII. Every Wool-packer ſhall make good and due packing, and neither he nor any other ſhall make any inwinding within the fleece at the rolling thereof, nor put therein any locks, pelt-wool, tar, ſand, earth, glaſs, or dirt, in pain that the party grieved ſhall have his action of Treſpaſs and deceit againſt ſuch offender at the common Law.

XIX. Stat. 14 H.6 5. Wools and all other Merchandize in Creeks to be tranſported beyond Sea, ſhall be forfeited, whereof the King ſhall have the one moyety, and the finder the other: *Obſolete.*

* *XX.* Stat. 23 H.8.17. None ſhall winde any fleece of wool not ſufficiently rivered or waſhed, nor winde therein any Clay, Lead, Stones, Sand, Tails, deceitful locks, cor, calls, comber, lambs wool, or any other thing, whereby the fleece may be more weighty

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to the deceit of the buyer, in pain that the ſeller of any ſuch deceitful wool ſhall forfeit for every ſuch fleece 6 *d.* to be divided betwixt the King and the finder.

XXI. This Act ſhall not extend to ſuch Counties, where the Inhabitants have not cuſtomably uſed to river or waſh their ſheep before they be ſhorn, nor to any perſons who have uſed to ſell their wool by tail, or number of the fleeces, and not by weight.

XXII. **Stat.** 37 H. 8. 15. All perſons are reſtrained to buy wools in *Norfolk*, and divers other Counties there mentioned, except merchants to convey them to the Staple, or others to convert them into Yarn, Hats, Girdles, or Cloth: *But this Statute is now expired.*

XXIII. **Stat.** 1 E. 6. 6. Every perſon dwelling in *Norfolk* or *Norwich* may buy wools of *Norfolk* growth, as well as they might have done before the Statute of 37 H. 8. 15. ſo as they ſell or retail the ſame again in ſome open market or place in *Norfolk* or *Norwich*, to ſome perſon or perſons (dwelling alſo there) that will there ſpin the ſame.

XXIV. **Stat.** 2, 3 P. M. 13. Any inhabitant of *Halifax* may buy wools (otherwiſe then by ingroſſing and foreſtalling) ſo as they carry the ſame to *Halifax*, and there ſell it to ſuch poor people of that, or other Pariſhes adjoyning; as (to their knowledg) ſhall work them in cloth or yarn; and not to the rich Clothier, nor any other to ſell again.

XXV. If the wool-driver ſhall ſell his wools out of *Halifax*, or if any buy wools in *Halifax*, to ſell the ſame unwrought in yarn or cloth, every ſuch offender ſhall forfeit the double value of the Wool ſo ſold or uttered, whereof the King and Queen is to have the one moyety, and the Proſecutor the other: And Juſtices of Peace in Seſſions have power to hear and determine theſe offences.

XXVI. **Stat.** 12 Car. 2. cap. 32. None ſhall export any ſheep, or wool, woolfels, mortlings, yarn, Fullers earth, fulling-clay, nor carry, load, or convey the ſame to be tranſported, upon ſeveral penalties, as well upon the owners of ſhips, as the perſons that ſhall convey the ſame. See the Act at large.

XXVII. **Stat.** 14 Car. 2. cap. 18. None ſhall export any ſheep, wool, woolfels, mortlings, ſhorlings, yarn made of wool, wool-flocks, Fullers earth, fulling-clay, nor Tobacco-pipe clay.

XXVIII. Juſtices of Aſſiſe, Goal-delivery, and Juſtices of the Peace, at their Quarter-Seſſions, may hear and determine offences againſt the ſaid Act.

Stat.

XXIX. **Stat.** 14 Car. 2. cap. 19. No Forreign Wool-cards, Card-wire, or Iron for Wool-cards shall be imported, nor used in *England* or *Wales*.

Women, Widows, Wives, and Maids.

I. **Magna Charta**, 7, 9 H. 3. A Widow immediately after her husbands death shall have her marriage and inheritance, and shall give nothing for her dower, marriage, or inheritance which her husband and she held the day of his death.

II. Also she shall remain in the chief house of her husband forty dayes after his death, if the house be not a Castle, within which 40 dayes her dower shall be assigned her, if it were not assigned her before.

III. If the house be a Castle, and she depart from thence, then shall a convenient house be forthwith provided for her, where she may conveniently dwell untill her Dower be assigned, and in the mean time she shall have reasonable estoyers of the common: And for her dower shall be assigned unto her the third part of all the land, which was her husbands in his life time, unless she were before endowed of less at the Church door.

IV. No widow shall be distrained to marry her self, while she will live without a husband: Howbeit, she shall find surety, that she shall not marry without the Kings licence and assent, if she hold of the King, nor without the assent of the Lord, in case she hold of another.

V. **Prerog. Regis**, 4. 17 E. 2. The King shall assign dower to the Widows of his tenants in chief, albeit the heir be at age (if the widows will) and such widows before assignment of their dower shall swear, that they will not marry themselves without the Kings licence, whether the heirs be of full age or not.

VI. If they marry without licence, the King shall seize (by way of distress) the land they held of him in dower until he be satisfied at his own will, so that they shall take nothing of the issues thereof; For by such distresses they and their husbands must fine at his will, which in the time of H. 3. was estimated one years value of her Dower.

VII. Women that hold any Inheritance of the King in chief (of what age soever they be) shall likewise swear not to marry without the Kings licence: And if they do, their lands shall be seized, as aforesaid, until the King be satisfied at his will.

VIII. **Stat.** 31 H. 6. 9. Where any person or persons take women

men by force, or otherwiſe (by perſwaſion) get them into their poſſeſſion, and when they ſo have them, will not ſuffer them to go at large, until they have bound themſelves by obligations or Statute Merchant in great ſums of money to them or others for their uſe, and many times compel them to be married againſt their likings, and levy ſuch ſums upon their Lands: In theſe caſes, the obligor ſhall have a Writ out of the Chancery, containing the matter of ſuch evil uſage, directed to the Sheriff of the County, where ſuch offence is committed, to make Proclamation in full County, and alſo in the next County-Court after the receit of the Writ, that the offender ſhall appear at a certain day prefixed in the Writ before the Lord Chancellor, or otherwiſe before the Juſtices of Aſſize in the County where the offence is done, or elſe before ſome other perſon thereunto aſſigned by the Lord Chancellor: At which day, if the offender appear, the ſaid Chancellor, Juſtices, or other perſon ſhall duly examine the parties upon the premiſes; And if it be found that the obligations were ſo made, they ſhall be void; but otherwiſe, they ſhall ſtand in force: Alſo if the offender appear not, they ſhall likewiſe be void, as alſo all the proceedings thereupon.

IX. Here, if the Sheriff be remiſs in the execution of ſuch a writ, he ſhall forfeit 300 l. to be divided betwixt the King and the party that purchaſed the ſame Writ.

X. Stat. 4 & 5 *P.M.* 8. None ſhall take or convey, or cauſe to be taken or conveyed away any Maid, or Woman-child unmarried, being within the age of 16 years, out of the cuſtody and againſt the will of the father or mother of ſuch child, or of the perſon, to whom the father of ſuch child (by his laſt will, or other Act in his life-time) hath appointed Governance of ſuch child (except ſuch taking ſhall be by or for ſuch perſon, (as without fraud) is maſter or miſtriſs of ſuch child, or her guardian (in Soccage, or Chivalry) in pain of two years impriſonment without bail, or elſe to pay ſuch fine, as ſhall be aſſeſſed by the Queens Council in the Star-Chamber.

XI. None ſhall take away, and deflower any ſuch child, or againſt the will of her father, if he be living, or of her mother (having the cuſtody of her if the Father be dead) contract matrimony with any ſuch child (except by the title of Wardſhip) in pain to ſuffer five years impriſonment, or elſe to pay ſuch fine, as ſhall be aſſeſſed by the ſaid Council in the Star-Chamber.

XII. The ſaid fines ſhall be divided betwixt the King and Queens Majeſties, and the party grieved.

XIII. The ſaid Council in the Star-Chamber, and Juſtices of Aſſize have power to hear and determine theſe offences.

XIV. If any ſuch child, above the age of 12 years, and under the

age of 16 years, do conſent to any ſuch contract of Matrimony, the next of the Kin, to whom her inheritance ſhould come, ſhall enjoy it during her life: But after her deceaſe it ſhall revert to the inheritor other then to him, that did ſo contract Matrimony.

XV. Provided, That this Act ſhall not be prejudicial to any cuſtome, or authority concerning Orphans in *London*, or any other City, Borough, or Town.

Worſteds.

I. **Stat.** 17 *R.* 2. 3. Merchants and Workers of clothes, called ſingle Worſteds, may tranſport Bolts thereof, whither they pleaſe, (except to the Kings Enemies, paying the Cuſtomes and Subſidies due for the ſame, without paying the duties of *Calais*: So as under colour thereof they tranſport no double Worſteds, half double Worſteds, Worſteds ray, or Motley, in pain to forfeit the ſame.

II. **Stat.** 7 *E.* 4. 1. The Worſted-weavers in *Norwich* ſhall yearly upon Monday after *Pentecoſt* chooſe four of the ſame craft to be their Wardens for that City; and likewiſe thoſe of the County of *Norfolk* ſhall then alſo chooſe four of the ſame craft there to be their Wardens for the ſaid County; which Wardens ſhall take their oaths before the Mayor of *Norwich*, and the Steward of the Dutchy of *Lancaſter*, if the Steward be then reſident in the ſaid County, otherwiſe, before the Mayor alone.

III. The ſaid Wardens have power, for the year next enſuing, to ſurvey the Workmanſhip of the Artificers of that craft, whether or no they work well and make their work of good ſtuff, and likewiſe to make Ordinances for the amendment of the ſaid Worſteds and craft: All which Ordinances ſhall be obeyed and kept by the ſaid Artificers, in pain to be puniſhed by four of the ſaid Wardens either in City or County reſpectively (calling to them ſix other ſuch Artificers) at the diſcretion of the ſaid Mayor and Steward, or one of them.

IV. Alſo the lengths and bredths of Pieces of Worſted are here ſet down: *For which ſee the Statute at large.*

V. No Lambs-wooll ſhall be put in Worſteds: And the ſaid Wardens have power to ſeize all ſuch clothes, and ſtuff, being defective.

VI. The Mayor and Stewards aforeſaid have power to hear and determine all offences committed againſt the ſaid Ordinances, and at convenient times to call together the ſaid 12 Artificers to be ſworn to make ſearch of the ſtuff and work wrought and made by the ſaid Wardens, and if they be found defective either in their office, or work, to puniſh them as other Artificers.

VII.

VII. The Wardens have alſo power to make ſuch ſearch in the Counties of *Suffolk* and *Cambridg*, as well as in *Norwich* and *Norfolk*.

VIII. Defective Worſteds ſhall be forfeit, *viz.* (in *Norwich*) the one half thereof to the Mayor there, or (in Corporations, or other places) to the chief Officers or Lord of the Mannor, and the other half to the ſaid Wardens: And Worſted-weavers ſhall ſet their proper marks woven upon their Stuffs, in pain to forfeit them to the King.

IX. The ſaid 8 Wardens ſhall yearly upon Munday next after *Corpus Chriſti*, aſſign one, two, or more places in *Norwich*, and as many in *Norfolk*, and certain days by the week, to the end that the Worſteds to be put to ſale that year, may be brought before the ſaid Wardens to be ſearched, and if they find them well made, they ſhall ſet a mark thereupon without fee, that the buyer may know which are well ſearched, wrought, and made of good ſtuff: But if they ſhall find them defective, the ſaid Mayor and Steward, or one of them ſhall impoſe ſuch correction for ſuch default, as to them ſhall ſeem meet: And the price of every piece of Worſted ſold not marked, ſhall be forfeited by the firſt ſeller thereof.

X. All Mayors, Bailiffs, and other Officers ſhall be aiding and aſſiſtant to the ſaid Wardens in their ſearch, as often as they ſhall be required by the ſaid Wardens, or any of them ſo to do.

XI. **Stat.** 11 *H.*7.11. Citizens of *Norwich* may take to apprentice the ſon or daughter of any perſon.

XII. **Stat.** 5 H.8.4. None ſhall dry calander any Worſteds, in pain to forfeit for every piece 5 l. Neither ſhall any wet calander any Worſteds, unleſs he have ſerved 7 years as an apprentice in that Trade, and be approved by the Mayor of *Norwich*, and the two Maſters of that Craft in *Norwich* or *Norfolk*, upon the like pain of 5 l. for every piece calandred contrary to this Act. Which ſaid forfeitures ſhall be divided betwixt the King and the ſaid Maſters of the Craft of wet calandring.

XIII. **Stat.** 14. 15 H.8.3. A long Statute for Worſted-weavers in *Yarmouth* and *Linne*; The Election, Oath, and Authority of a Warden for *Yarmouth*: Every perſon ſhall mark his Worſteds, Sayes, &c. with his ſeveral marks: The Election, Oath, and Authority of a Warden for *Linne*: Every Worſted-weaver in *Linne* ſhall be an Engliſh-man born, and ſhall have his proper mark: A Warden of *Norwich* or *Norfolk* ſhall come to *Lynne*, when there is no Warden there, and his allowance by the day of his charge in coming thither: What names, or additions the parties grieved ſhall uſe in their actions, whereupon the particular bodies of the Wardens, or

Inhabitants may be put in execution; Clothes marked by Wardens of *Linne*, or *Yarmouth*, may be lawfully put to ſale: What apprentices Worſted-weavers in *Linne* and *Yarmouth* may take; This Statute ſhall not be prejudicial to the Mayor of *Norwich*, or the Wardens there: None ſhall ſheer, dye, or calander any Worſteds, Sayes, &c. ſave only in *Norwich*: Neither ſhall any ſuch Stuffs be tranſported before they be ſo ſhorn, dyed, and calandred. *See the Statute at large.*

XIV. **Stat.** 25 H. 8. 5. The Statute of 5 H. 8. 4. is made perpetual, and none that dieth Worſteds, Stamins, or Sayes, ſhall uſe to calander them, in pain to forfeit for every Piece 40 s. to be divided into three parts, whereof the King is to have one, the Mayor of *Norwich* another, and the Proſecutor the third.

Wreck.

I. **Weſt.** 1. 4. 3 E. 1. Where a man, dog, or cat eſcape alive out of the Ship, neither the Ship or other veſſel, nor any thing therein ſhall be adjudged wreck, but the goods ſhall be ſaved and kept by the Sheriff, Coroners, or the Kings Bailiffs, and deliyered to the Inhabitants of the Town, where the goods are found; ſo that if any within a year and a day ſue for thoſe goods, and after prove that they were his at the time of the Shipwrack, they ſhall be reſtored to him without delay: But if not, they ſhall be ſeized by the ſaid Sheriff, Coroners, or Bayliffs for the Kings uſe, and ſhall be delivered to the Inhabitants of the Town, who ſhall anſwer before the Juſtices for the Wreck belonging to the King.

II. Alſo where the Wreck belongeth to another, he ſhall have it in like manner: and if any be attainted to have done otherwiſe, he ſhall ſuffer impriſonment, make fine to the King, and yield damages alſo.

III. If a Bayliff do it, and it be diſallowed by his Lord, the Bayliff ſhall anſwer for it, if he have whereof; but if not, the Lord ſhall deliver his Bailiffs body to the King.

IV. **Prerog. Reg.** 11. 17 E. 2. The King ſhall have wreck of the Sea, Whales, and great Sturgeons taken in the Sea, and elſewhere throughout the whole Realm, except in places priviledged by the King.

Writs and abatements of Writs.

I. **Weſt.** 2. 24. 13 E. 1. *Pars inde.* Where in the Chancery in one caſe a Writ is found, and in another caſe falling under like law,

and

and requiring like remedy, there is found none, the Clerks of the Chancery ſhall agree in making the Writ, or the Plaintiffs may adjourn it untill the next Parliament, and then the caſes being written, in which they cannot agree, let them refer themſelves to the next Parliament, where (by the conſent of men learned in the Law) a Writ ſhall be framed: leſt the Kings Court ſhould fail to adminiſter Juſtice to complainants.

II. **Weſt.** 2. 49. 13 E. 1. *Pars inde.* Where the Law faileth, leſt Suitors ſhould depart from the Kings Court without remedy, Writs ſhall be provided in their caſes.

III. **Stat.** 6 *R.* 2. *Stat.* 1. 2. If in Writs of debt, accompt, and the like, it ſhall be declared, that the contract thereof was made in another County, then is contained in the original Writ, ſuch Writ ſhall be abated.

Vid. Title *Arreſts.* Numb. 4.

Yarn.

I. **Stat.** 8 H. 6. 23. NOne ſhall export any Thrums or Woollen Yarn under colour of Thrums, in pain to forfeit the double value thereof.

York.

I. **Stat.** 29 H. 6. 3. All Letters Patents granted to Citizens of *York*, to be exempt of the offices of Mayoralty, Sherifwick, Chamberlain, Collector of Diſmes and Quinzims, and Citizen for the Parliament, ſhall be void: and the Citizen who purchaſeth or taketh ſuch exemption ſhall forfeit 40 l. to the King, and Mayor and Citizens of *York*.

II. **Stat.** 34, 35 H. 8. 10. An Act for making of Coverlets within *York*, and none ſhall be made to be put to ſale in *Yorkſhire*, but onely in the Town of *York*, together with divers other good proviſions touching that ſubject. *For which, ſee the Statute at large.*

The

The New Acts lately made at *Oxon.* Anno 17° *Caroli Secundi Regis*, Abridged, and here added by way of *APPENDIX.*

Non-conformists.

I. Stat. 17 *Car.* 2. *Cap.* 1. *apud Oxon.* ENacted, That all Parsons, Vicars, Curates, Lecturers, and other persons in or pretending to serve in Holy Orders, and all Stipendaries or other persons who have been possessed of any Ecclesiastical or Spiritual Promotion, and who have not declared their assent, and subscribed the Declaration mentioned in the ACT of 14 *Car.* 2. *For Uniformity of Publique Prayers, &c.* And shall not take and subscribe the Oath following:

I A. B. *Do swear, That it is not lawfull upon any pretence whatsoever, to take up Arms against the King: And that I do abhor that Trayterous Position of taking Arms by his Authority against his Person, or against those that are Commissionated by him, in pursuance of such Commissions; And that I will not at any time endeavour any alteration of Government either in Church or State.*

II. And all such persons who shall take upon them to preach in any unlawful assembly, conventicle, or meeting, under colour or pretence of any exercise of Religion, contrary to the Laws and Statutes of this Kingdom, shall not at any time after the 24th of *March*, 1665, unless in passing upon the Road, come or be within five miles of any City or Town Corporate, or Borough that sends Burgesses

Burgesses to the Parliament within *England*, *Wales*, or Town of *Berwick* upon *Tweed*, or within five miles of any Parish, Town, or Place wherein he or they have since the Act of Oblivion, been Parson, Vicar, Curate, Stipendary or Lecturer, or taken upon them to preach in any unlawful Assembly, Conventicle, or Meeting, under colour or pretence of any exercise of Religion, contrary to the Laws and Statutes of this Kingdom, before he or they have taken and subscribed the said Oath, before the Justices of the Peace at their Quarter-Sessions, to be holden at the Division next to the Corporat or, City or Borough, Parish, Place or Town in open Court, (which the said Justices are impowred to administer) upon forfeiture for every such offence the sum of forty pounds: one third thereof to his Majesty and his Successors, the other third part to the poor of the Parish where the offence is committed; the other third part to the person that will sue for the same, by Action of Debt, Plaint, Bill, or Information, in any Court of Record at *Westminster*, or before any Justices of Assize, *Oyer* and *Terminer*, or Goal Delivery, Justices of the Counties Palatine of *Chester*, *Lancaster*, or *Durham*, Great Sessions in *Wales*, or Justices of the Peace in their Quarter-Sessions, no Essoin, Protection, or Wager of Law to be allowed.

III. It shall not be lawfull for any person or persons restrained from coming to any City, Town Corporate, Burrough, Parish, Town or Place, as aforesaid, or for any other person or persons as shall not first take and subscribe the said oath, and as shall not frequent Divine Service, established by the Law of this Kingdom, and carry him or her self reverently there, to teach any publique or private School, or take any Boarders or Tablers to be taught or instructed by him or her self, or any other, upon pain of forty pounds for every offence, to be recovered and distributed as aforesaid.

IV. Any two Justices of the Peace in the respective County, upon oath to them of any offence against this Act, which oath they are impowred to administer, may commit the offender for six moneths without Bail, unless before such Commitment, he shall before the said Justices of the Peace swear and subscribe the said Oath and Declaration.

Provided, That appearance to any *Subpœna*, Warrant, or Process, whereby personal appearance is required, shall not be construed an offence within this Act.

Churches and Chappells.

I. An Act for uniting Churches and Chappels in Towns Corporate. See 27 *Car.* 2. *Cap.* 3. *Apud Oxon.*

Books and Printing.

I. **Stat.** 17 *Car.* 2. *Cap.* 4. *apud Oxon.* The Act for preventing abuses in Printing Seditious, Treasonable, and unlicensed Pamphlets, and for regulating Printing, continued in force untill the end of the first Session of the next Parliament.

II. And further, That after the 26. of *September* 1665. every Printer within *London*, or any other places, except the two Universities, shall reserve three printed Copies of the best and largest Paper, of every Book new printed, or reprinted with additions, and shall before any publique sale of the said Book, bring them to the Master of the Company of *Stationers*, and deliver them to him, one whereof shall within ten dayes after, be delivered to the Keeper of his Majesties Library, and the other two within the said ten dayes to be sent to the Vice-Chancellors of the Two Universities respectively, for the use of their publique Libraries.

III. And the Printers in the said Universities respectively, after the said 26th of *December*, shall deliver one such printed Copy as aforesaid so new printed or reprinted in the said Universities, to the Keeper of the Kings Library as aforesaid; as also to the Vice-Chancellors of either of the said Universities for the time being, two other such printed Copies, for their publique respective Libraries. And for default of so doing by the Printer, or Master of the Company of *Stationers*, to forfeit beside the value of the said printed Copies 5 l. for every Copy not so delivered: The same to be recovered by his Majesty, his Heirs and Successors: And by the Chancellor, Masters and Schollers of the said Universities respectively, by Action of Debt, Bill, Plaint, or Information, in any of his Majesties Courts of Record at *Westminster*.

Treason.

Treason.

I. **Stat.** 17 *Car.* 2. *Cap.* 5. *apud Oxon.* An Act for Attainting *Thomas Dolman*, *Joseph Bampfield*, and *Thomas Scott*, of High Treason, if they render not themselves to some of his Majesties Justices of the Peace for the County wherein they shall first arrive at or before the first of *February* next, and abide their legall Tryal.

II. And for attainting every person that is or shall be beyond the Seas during the War with the United Provinces, that being required by his Majesties Proclamation shall not return and render themselves accordingly, so that the time prefixed by such Proclamation, be not less then three Calender months from the date thereof.

III. And all his Majesties Subjects who after the first of *February* next, shall during the said Warr serve the said States either by Sea or Land as a Souldier, or Marriner or Seaman on this side the *Straights*, or after the first of *May*, 1666, within the *Straights*, or after the first of *August* 1666. in *Africa*, or *America*, or any where beyond the *Straights*, on this side the Æquinoctial; or after the first of *February* 1666. in the *East-Indies*, or in any part beyond the Æquinoctial, shall be attainted of High Treason.

Damages Cleer.

I. **Stat.** 17 *Car.* 2. *Cap.* 6. *apud Oxon.* All Damage Cleer, or Fees called *Damna Clericorum*, from and after the 29th of *September*, which shall be in the year 1672. shall cease and be abolished in all Courts at *Westminster*, and elsewhere within *England* and *Wales*.

II. And untill the said 29th of *September* 1672. and no longer Damage Cleer shall be paid and allowed out of such sums of money only as shall be actually levied or paid by or from the Defendants; and onely for the proportion of the sum and sums of money levied or paid, and no more or otherwise.

Diſtreſſes.

I. **Stat.** 17 *Car.* 2. *Cap.* 7. *Apud Oxon.* For more ſpeedy and effectual proceeding upon Diſtreſſes and Avowries for Rents, *Enacted*, That when any Plaintiff in Replevin, by Plaint or Writ returned, removed, or depending in any of the Kings Courts at *Weſtminſter*, the Defendant making a Suggeſtion in nature of an Avowry or Conuſance for ſuch Rent, to aſcertain the Court of the cauſe of the Diſtreſs, the Court upon his prayer, ſhall award a Writ to the Sheriff of the County where the Diſtreſs was taken, to enquire by the oaths of 12 good and lawful men of his Baylywick, touching the ſum in arrear at the time of ſuch Diſtreſs taken, and the value of the Goods or Cattel diſtrained; And thereupon 15 dayes ſhall be given to the Plaintiff or his Attorney in Court, of the ſitting in ſuch Enquiry; And thereupon the Sheriff ſhall enquire, of the truth of the matters contained in ſuch Writ, by the oaths of 12 good and lawful men of his County: And upon the return of ſuch inquiſition, the Defendant ſhall have Judgment to recover againſt the Plaintiff the arrearages of ſuch Rent, in caſe the Goods or Cattel diſtrained ſhall amount unto that value: And if they amount not to that value, then ſo much as the value of the ſaid Goods and Cattel ſo diſtrained, ſhall amount unto, together with full coſts of Suit, and ſhall have Execution thereupon, by *Fieri Facias*, or *Elegit*, or otherwiſe as the Law ſhall require. And in caſe ſuch Plaintiff ſhall be nonſuit after Conuſance, or Avowry made, and Iſſue joyned, or if the Verdict ſhall be given againſt ſuch Plaintiff, then the Jurors that are impanelled or returned to enquire of ſuch iſſue, ſhall at the prayer of the Defendant enquire concerning the ſum of ſuch arrears, and the value of the Goods or Cattel diſtrained: And thereupon the Avowant, or he that makes Conuſance, ſhall have Judgment for ſuch arrearages, or ſo much thereof as the Goods or Cattel diſtrained amounts unto, together with his full Coſts, and ſhall have Execution for the ſame by *Fieri Facias* or *Elegit*, or otherwiſe, as the Law ſhall require.

II. And if Judgment in any of the Courts aforeſaid be given upon Demurrer for the Avowant, or him that maketh Conuſance for any Rent, the Court ſhall at the prayer of the Defendant award a Writ to enquire of the value of ſuch diſtreſs; And upon return thereof, Judgment ſhall be given for the Avowant, or him that makes Conuſance as aforeſaid, for the arrears alledged to be behind in ſuch

Avowry

Avowry or Conuſance, if the Goods or Cattel ſo diſtrained, amount to that value: And if they ſhall not amount to that value, then for ſo much as the ſaid Goods or Cattel ſo diſtrained amount unto, together with his full coſts of Suit, and ſhall have like Execution as aforeſaid.

Provided, That in all caſes aforeſaid where the value of the Cattel diſtrained as aforeſaid, ſhall not be found to be to the full value of the arrears diſtrained for, that the party to whom ſuch Arrears were due, his Executors or Adminiſtrators may from time to time diſtrain again for the reſidue of the ſaid arrears.

Suits and Delayes.

I. **Stat.** 17 *Car.* 2. *Cap.* 8. *Apud Oxon.* For avoiding unneceſſary Suits and Delays, *Enacted*, That in all Actions perſonal and real, or mixt, the death of either party between the Verdict and the Judgment, ſhall not hereafter be alledged for Errour; ſo as ſuch Judgment be entred within two Terms after ſuch Verdict.

II. And where any Judgment after a Verdict ſhall be had, by or in the name of any Executor or Adminiſtrator; In ſuch caſe an Adminiſtrators *de bonis non*, may ſue forth a *Scire facias*, and take Execution upon ſuch Judgment. This Act to continue for five years; and from thence to the end of the next Seſſion of Parliament.

A perfect TABLE, which may serve as a *CONCORDANCE*, for the ready discovery of any material Clause throughout the said Statutes,

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8 *Admeasurement of Pasture.*
9 *Mesne*
10 *Attorney, Justices in Eyre*
11 *Account*
12 *Appeals, Essoin*
13 *Indictments*
14 *Wast*
15 *Prochein Amy*
16 *Wards*
17 *Essoyn*
18 *Execution*
19 *Ordinaries*
20 *Cosinage, &c.*
21 *Cessavit*
22 *Wast*
23 *Executors*
24 *Nusance, Quod permittat, writs &c.*
25 *Assizes*
26 *Rediseisin*
27 *Essoyn*
28 *Essoyn*
29 *Oyer and Terminer*
30 *Exception*
31 *Mortmain*
32 *County and Turn*
33 *Cresses*
34 *Rape*
35 *Wards*
36 *Distresses*
37 *Distresses*
38 *Jurors*
39 *Return of Sheriffs*
40 *Age*
41 *Contra formam collat.*
42 *Fees*
43 *Citation*
44 *Fees*
45 *Execution*
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8 Sheriff
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10 Conspiracy
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2 Prohibition
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5 *Prohibition*
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12 *Excommunication*
13 *Ability*
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2 *Witness*
3 *Nisi prius*
4 *Nisi prius*
5 *Return of Sheriffs*
6 *Victuall, &c.*

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2 *Wards*
3 *Primer Seisin*
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5 *Partition.*
6 *Wards*
7 *Alienation without licence*
8 *Advowson*
9 *Fools, Lunaticks, &c.*
10 *Fools, Lunaticks, &c.*
11 *Wreck*
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5 *Return of Sheriffs.*
6 *Attaint*
7 *Prison,&c.*
8 *Forests.*

1 *E.*3. Stat. 2.

1 *Forests*
2 *Bishops, Forests*
5 *Armour*
6 *Taxes*
7 *War*
8 *Beau-pleader*
9 *Franchises*
10 *Monasteries*
11 *Prohibition*
12 *Tenure*
13 *Tenure*
14 *Maintenance*
16 *Justices of Peace*
17 *Indictments*

2 E. 3.

1 *Confirmation*
2 *Justices of Gaol-Delivery, Oyer & Terminer, Pardon*
3 *Armour*
4 *Sheriff*
5 *Return of Sheriffs*
6 *Peace*
7 *War*
8 *Justice and right, &c.*
9 *Staple*
11 *Adjornment*
12 *Sheriff*
15 *Fairs and Markets*
16 *Nisi prius*
17 *Deceit*

4 E. 2.

1 *Confirmation*
2 *Justices of G.D.*
3 *Purveyors*
7 *Executors*
9 *Sheriff*
10 *Sheriffs*
11 *Nisi prius*
12 *Wines*
13 *Pardon*
15 *Parliament*
15 *Sheriffs*

5 E. 3.

1 *Confirmation*
2 *Error, Marshalsey, Purveyors*
4 *Sheriffs*
5 *Fairs and Markets*
6 *Attaint*
7 *Attaint*
8 *Prison,&c.*
9 *Accusation*
10 *Jurors*
11 *Process*
12 *Exigent and utlawry*
13 *Exigent and utlawry*
14 *Robberies*

9 E.3. Stat.1.

1 *Merchant.*
2 *Non-plevin*
3 *Executors*
4 *Triall*
5 *Records*

9 E. 3. Stat. 2.

1 *Money*
2 *Money*
3 *Money*
4 *Money*
5 *Money*
6 *Money*
7 *Exchange*
8 *Prison*
9 *Money*
10 *Money*
11 *Money*
12 *Excommunication*

10 E.3. Stat.1.

1 *Confirmation*
2 *Pardon*
3 *Pardon*

10 E.3. Stat. 2.

Of Purveyors.

2 *Marshalsey*
3 *Error*

11 E. 3

3 *Drapery*
5 *Drapery*

14 E. 3. Stat.1.

1 *Confirmation, Franchises*
4 *Englishire*
5 *Judgment*
6 *Amendments*
7 *Sheriff*
8 *Escheators, Coroners*
9 *Sheriff*
10 *Prison, &c.*
11 *Recognizance, &c.*
12 *Weights*
13 *Wards*
14 *Aide of the King*
15 *Pardon*
16 *Nisi prius*
17 *Parson, &c.*
18 *Voucher*
19 *Purveyors*
21 *Customs, &c.*

14 E 3. Stat 2.

2 *Merchants*

14 E. 3. Stat.3.

1 *Purveyors*
3 *Bishops*
4 *Vacations of Bishopricks*
5 *Vacations of Bishopricks*

14 E.3. Stat.4.

1 That *England* shall not be subject to France. *Crown.*

18 E.3. Stat.1.

1 *Exigent and utlawry.*

18 E. 3. Stat.2.

2 *Justices of Peace*
3 *Sea*
5 *Exigent and utlawry*

6 *Money*
7 *War*

18 E. 3. Stat. 3.

3 *Clergy, Mortmain*
4 *Purveyors*
5 *Prohibition*
6 *Ordinaries*
7 *Titles*
8 *Justice and right, &c.*

18 E. 3. Stat. 4.

1 *Justice, &c.*
2 *Clerks of the Chancery*

20 E. 3.

1 *Justice and right, &c.*
2 *Justice and right, &c.*
3 *Justice and right, &c.*
4 *Maintenance*
5 *Maintenance*
6 *Justices of Assise*

23 E. 3.

6 *Victuall, &c.*

25 E. 3. Stat. 2.

1 *Ability.*

25 E. 3. Stat. 3.

1 *Franchises*
2 *Franchises*
3 *Advowson*
4 *Clergy*
5 *Clergy*
6 *Bishops*
7 *Advowson*
8 *Jurisdiction*
9 *Ordinaries*

25 E. 3. Stat. 4.

1 *Drapery*
2 *Merchants*
4 *Wears*

25 E. 3. Stat. 5.

2 *Treason*
3 *Jurors*
4 *Accusation*
5 *Executors*
6 *Purveyors*
7 *Forests*
8 *VVar*
9 *VVeights*
10 *VVeights*
11 *Reasonable aide*
12 *Exchange*
13 *Money*
14 *Indictments*
15 *Purveyors*
16 *Non-Tenure*
17 *Process*
18 *Villenage*
19 *Protection*
20 *Money*
21 *Butler of the King*
22 *Proviso*

25 E. 3. Stat. 6.

1 *Proviso*

27 E. 3. Stat. 1.

1 *Proviso*
2 *Pardon*
4 *Drapery*

5 *Wines*
8 *Gauging*

27 E.3. Stat.2.

1 *Staple*
2 *Merchants*
3 *Merchants, Wooll*
4 *Staple*
5 *Staple*
6 *Staple*
7 *Staple*
8 *Staple*
9 *Staple*
10 *Weights*
11 *Merchants*
13 *Merchants*
14 *Gold, Silver, &c.*
15 *Staple*
16 *Staple*
17 *Merchants*
18 *Staple*
19 *Staple*
20 *Staple*
21 *Staple*
22 *Staple*
23 *Staple*
24 *Staple*
25 *Staple*
26 *Merchants*
27 *Staple*
28 *Monasteries*

28 E. 3.

1 *Confirmation*
2 *Wales*
3 *Accusation*
4 *Livery, &c.*
5 *Iron*
6 *Coroner*
7 *Sheriff*
8 *Attaint*
9 *Sheriff*
10 *London*
11 *Robberies*
12 *Purveyors*
13 *Staple*

31 E.3. Stat. 1.

1 *Confirmation*
2 *Wooll*
3 *Forfeiture*
4 *Probate of Test.*
5 *Gauging*
8 *Wooll*
9 *Wooll*
10 *Victuall, &c.*
11 *Administrators*
12 *Error*
14 *Escape*
15 *County and Turn*

31 E.1. Stat. 2.

1 *Fish, Fishers, &c.*
2 *Fish, Fishers, &c.*
3 *Fish, Fishers, &c.*

31 E.3. Stat.3.

1 *Fish, Fishers, &c.*
2 *Fish, Fishers, &c.*

34 E. 3.

1 *Justices of Peace*
2 *Purveyors*
3 *Purveyors*
4 *Jurors*
7 *Attaint*

8 Jurors
12 Forfeiture
13 Escheators
14 Escheators
15 Tenure
16 Fines
17 Ireland
18 Ireland
19 Wooll
22 Hawks

35 E. 3.

1 Fish, Fishers, &c.

36 E. 3.

1 Confirmation
2 Purveyors
3 Purveyors
4 Purveyors
5 Purveyors
6 Purveyors
9 Chancery
10 Parliament
11 Wooll
12 Justices of Peace
13 Escheators
15 Declaration, Pleading

37 E. 3.

1 Confirmation
2 Identitate nominis
4 Exchequer
7 Gold, Silver, &c.
16 Wines
17 Villenage
18 Accusation
19 Hawks

38 E. 3. Stat. 1.

1 Confirmation
2 Merchants, Money
3 Fines
4 Obligations
5 Wager of Law
6 Wooll
7 Staple
8 Ships
9 Accusation
10 Wines
11 Wines
12 Decies tantum

42 E. 3.

1 Confirmation
3 Accusation
4 Commission, &c.
5 Escheators
9 Estreats, Sheriffs
10 Ability
11 Parell

43 E. 3.

1 Wooll
2 Wines
3 Butler of the King

45 E. 3.

1 Confirmation
2 Wears
3 Prohibition
4 Wooll

50 E. 3.

1 Confirmation
2 Confirmation
3 Arrests
4 Prohibition
5 Arrests

6 *Fraudulent Conveyances*
7 *Drapery*
8 *Drapery*

Stat. of 1 R. 2.

1 *Confirmation*
2 *Peace*
3 *Purveyors*
4 *Maintenance*
5 *Exchequer*
7 *Liveries of Companies*
8 *Protection*
9 *Feoffments*
11 *Sheriff*
12 *Debt*
13 *Dures se*
14 *Tithes*
15 *Arrests*

2 R. 2. Stat. 2.

1 *Merchants*
5 *News*

2 R. 2. Stat. 1.

1 *Confirmation*
3 *Debt*

3 R. 2.

1 *Confirmation*
2 *Drapery*
3 *Proviso*

4 R. 2.

1 *Gauging*

5 R. 2.

1 *Confirmation*
2 *Money*
3 *Ships*
7 *Forcible Entry*
9 *Exchequer*
10 *Captains, &c.*
11 *Exchequer*
12 *Exchequer*
13 *Exchequer*
14 *Exchequer*
15 *Exchequer.*
16 *Exchequer*

5 R. 2. Stat. 2.

1 *Merchants*
4 *Parliament*

6 R. 2. Stat. 1.

1 *Confirmation, Franchises*
2 *Writs*
3 *Nusance*
4 *Inrolments*
5 *Justices of Assise*
6 *Rape*
7 *Wines*
8 *Ships*
9 *Victuall, &c.*
10 *Victuall, &c.*

7 R. 2.

1 *Franchises*
2 *Confirmation*
3 *Forests*
4 *Forests*
6 *Robberies*
7 *Nisi prius*
8 *Purveyors*
9 *Drapery*
10 *Assises*
12 *Proviso*
13 *Armour*

14 Attorney
15 Maintenance

8 R. 2.

2 Confirmation
3 Justices of Assise
4 Recognizance

9 R. 2.

1 Confirmation
2 Villenage
3 Attaint
5 Marshalsey

11 R. 2.

7 Merchants
8 Patents
9 Taxes
10 Seals
11 Justices of Assise

12 R. 2.

1 Confirmation
2 Officers
10 Justices of Peace
11 News
12 Parliament
13 Infections
15 Proviso
16 Staple

13 R. 2. Stat. 1.

1 Incumbent
2 Constable and Marshall
3 Marshalsey
4 Clerk of the Market
5 Admiralty
6 Serjeant at Arms
7 Justices of Peace
8 Victuall, &c.
9 weights, Woll
10 Drapery
11 Drapery
13 Hunters and hunting
14 Exchequer
15 Prison, &c.
16 Protection
17 Receit
18 Attaint
19 Fish, Fishers, &c.

13 R. 2. Stat. 2.

1 Pardon
2 Proviso
3 Proviso.

14 R. 2.

1 Staple
2 Exchange
3 Staple
4 Staple
5 Ships
8 Gauging
9 Merchants
10 Customs, &c. Officers
11 Justices of Peace

15 R. 2. Stat. 1.

1 Confirmation
2 Forcible entry
3 Admiralty
4 weights
5 Mortmain
6 Appropriations
9 Staple
12 Freehold

16 R. 2.

1 Merchants
2 Drapery
3 Weights
5 Proviſo

17 R. 2.

1 Money
2 Drapery
3 Werſteds
4 Malt
5 Officers
6 Accuſation
8 Riots, &c.
9 Fiſh, Fiſhers, &c.
10 Juſtices of G. D.

17 R. 2.

1 Armour
3 Juſtices of Aſſiſe
4 Merchants
5 Horſes, &c.

Statutes of 1 H. 6.

1 Confirmation
4 Confirmation
6 Patents
8 Aſſiſes
10 Towns
11 Sheriffs
12 Wears
13 Officers
14 Appeals
15 London
18 Cheſter, &c.

2 H. 4.

1 Confirmation, Franchiſes
3 Proviſo
4 Proviſo
5 Money
7 Non-ſuit
8 Chirographers
10 Clerks of the Crown
11 Admiralty
14 Purveyors
23 Marſhalſey

4 H. 4.

1 Confirmation
2 Clergy, ſpiritualty
3 Clergy, ſpiritualty
5 Sheriff.
7 Feoffments
8 Aſſiſes
9 Commiſſion
10 Money
11 Wears
12 Appropriations
13 War
15 Merchants
18 Attorney
19 Attorney
20 Cuſtoms, &c. Officers, Ships
22 Incumbent
23 Judgment
24 Drapery

5 H. 4.

2 Pardon
3 Watches
4 Felony
5 Felony
6 Aſſault
7 Merchants
8 Wager of Law

9 Merchants
10 Prison, &c.
11 Tithes
12 Recognisance
13 Gold, Silver, &c.
14 Fines

8 H. 4.

3 Account
4 Merchants

7 H. 4.

1 Confirmation
2 Crown
3 Estreats
4 Protection
7 Arrow-heads
8 Proviso
9 Merchants
11 Commission, &c.
13 Attorney
15 Parliament

9 H. 4.

1 Confirmation
2 Drapery
4 Wales
5 Conusance
7 Taxes

11 H. 4.

1 Parliament
2 Customs, &c.
3 Justices of Assise
5 Money
6 Drapery
8 Exchange
9 Indictments

13 H. 4.

1 Confirmation
5 Officers
6 Money
7 Riots, &c.

Statutes of 1 H. 5.

1 Parliament
2 Wears
3 Ireland
4 Sheriff
5 Addition
10 Weights

2 H. 5. Stat. 1.

1 Hospitals, &c.
2 Corpus cum causa, &c.
3 Libell
4 Justices of Peace
5 Tindale
6 Breakers of Leagues
6 Riots, &c.
8 Riots, &c.

2 H. 5. Stat. 2.

1 Justices of Peace
3 Jurors
4 Gold, Silver, &c.
5 Wales
6 Wooll

3 H. 5.

1 Confirmation
4 Proviso
5 Attaint
6 Money
7 Money

4 H. 5.

1 Confirmation
2 Sheriff
5 Merchants

7 H. 5.

1 Conspiracy.

8 H. 5.

2 Woll
3 Gold, Silver, &c.

9 H. 5. Stat. 1.

1 Conspiracy
4 Amendments
7 Tindale
10 Newcastle
11 Money

Statutes of 1 H. 6.

1 Money
2 Purveyors

2 H. 6.

1 Confirmation
2 Hospitals
6 Money
8 Ireland
9 Money
10 Officers
11 Weights
12 Money
14 Gold, Silver, &c.
15 Haven and Rivers

3 H. 6.

1 Masons
2 Sheep
3 Customs, &c.
4 Butter

4 H. 6.

3 Amendments

6 H. 6.

1 Process
2 Assises
4 Parliament
5 Sewers

18 H. 6.

1 Parliament
3 Sewers
5 Weights
7 Parliament
9 Forcible entry
10 Process
12 Amendments
13 Amendments
14 Riots, &c.
16 Escheators
22 Woll
23 Yarn
26 Conusance
27 Passage
28 Bridges
29 Trial

9 H. 6.

4 Identitate nominis
5 Passage
6 Weights
8 Weights
11 Bastardy

10 H. 6.

1 Staple
2 Parliament
4 Appearance

6 Process
8 Justices of the Benches

11 H. 6.

2 Assises
3 Feoffments
4 Attaint
5 Wast
6 Discontinuance of process
8 Weights
9 Drapery
10 Recognisance
11 Assault
12 Wax
15 Customs, &c.

14 H. 6.

1 Nisi prius
3 Justices of Assise
4 Justices of Peace
5 Wooll

15 H. 6.

1 Marshalsey
3 Safe Conduct
4 Accusation
5 Attaint
8 Ships

18 H. 6.

1 Patents
2 Attaint
3 Butter
5 Collectors
6 Escheators
7 Escheators
8 Safe conduct
9 Apparance
10 Sewers
11 Justices of Peace.
12 Conspiracy
17 Gauging
18 Captains, &c.
19 Captains, &c.

20 H. 6.

1 Safe conduct
4 Cusioms, &c.
5 Customs, &c.
8 Purveyors
9 Triall

23 H. 6.

1 Purveyors
2 Purveyors
7 Northumberland
8 Sheriff
9 Sewers
10 Sheriff
11 Parliament
13 Victuall, &c.
14 Purveyors
15 Parliament
16 Gauging
17 Escheators
18 Wines

27 H. 6.

5 Fairs and Markets

28 H. 6.

2 Purveyors
5 Extortion

29 H. 6.

1 York

31 H. 6.

4 Aliens
5 Officers
9 Women, &c.

33 H. 6.

1 Executors
2 Lancaster
7 Attorney

39 H. 6.

2 Wards

Statutes of 1 E. 4.

1 Confirmation
2 Sheriff

3 E. 4.

4 Merchants

4 E. 4.

1 Drapery
3 Horners

7 E. 4.

1 Worsteds
2 Drapery
3 Drapery
5 Tenure

8 E. 4.

3 Jurors

12 E. 4.

1 Sheriffs
2 Bowes
6 Sewers
7 Wears
8 Victuall, &c.
9 Escheators

14 E. 4.

4 Breakers of Leagues

17 E. 4.

1 Merchants
2 Fairs and Markets
4 Tiles
5 Drapery
6 Sheriff

22 E. 1.

4 Fish, Fishers
6 Swans
7 Forest
8 Barwick.

Statutes of 1 R. 3.

1 Uses
2 Taxes
3 Escape, Forfeiture
4 Jurors
6 Fairs and Markets
7 Fines
8 Drapery
9 Aliens, Merchants
11 Bowes
12 Merchants
13 VVeights
14 Accompt

Statutes of 1 H. 7.

1 Uses
2 Customs, &c.
4 Incontinency of Priests
7 Felony

3 H. 7.

1 Execution of Statutes
Indictments
Justices of Peace
Murder
2 Felony
3 Mainprise
4 Uses
7 Customs, &c.
8 Merchants
9 Fairs and Markets
18 Damages and Costs
11 Drapery
14 Felony

4 H. 7.

1 Sewers
2 Gold, Silver
3 Butchers
10 Ships
12 Justices of Peace
13 Clergy
14 Seales
15 Havens and Rivers
16 Isle of Wight
17 Wards
20 Actions popular
24 Fines

7 H. 7.

1 Captains
3 Weights
4 Challenge

11 H. 7.

1 Forfeiture
4 Weights
5 Southampton
6 Customes
9 Tindale
11 Worsteds
12 Poor people
13 Houses, &c.
14 Customs, &c.
15 Sheriffs
16 Sheriff.
17 Feasants and Partridges
18 War
19 Upholsters
20 Discontinuance
21 Attaint
23 Fish, Fishers
27 Fustians

12 H. 7.

1 Apprentice
5 Weights
9 Merchants
5 Clergy

19 H. 7.

6 Money
7 Brass
8 Corporation
8 Taxes
9 Process
10 Prison, &c.
11 Hunters
13 Riots, &c.
15 Uses
18 Passage
20 Damages and Costs
21 Silk
23 Stiliard
24 County and Turn

Statutes of 1 H. 8.

5 Customs, &c.
7 Coroner
8 Escheators

9 *Stanes*
10 *Escheators*

3 H. 8.

5 *Captains, &c.*
7 *Drapery*
8 *Victuall, &c.*
11 *Physicians*
14 *Oyl*

4 H. 8.

2 *Triall*
3 *Jurors*
6 *Cusions, &c.*
7 *Brass*

5 H. 8.

2 *Drapery*
3 *Drapery*
4 *Worsteds*
5 *Jurors*
6 *Physicians*

6 H. 8.

4 *Exigent and utlawry*
6 *Prison, &c.*
8 *Drapery*
9 *Drapery*
10 *Sewers*
15 *Patents*
16 *Parliament*
18 *Sheriff*

7 H. 8.

4 *Recoveries*

14, 15 H. 8.

2 *Aliens*
3 *Worsteds*
4 *English-men*
6 *High-ways*
10 *Hunters and hunting*
11 *Drapery*
12 *Money*
13 *Southampton*

21 H. 8.

3 *Assises*
4 *Executors*
5 *Probat of Test.*
6 *Mortuaries*
7 *Felony*
11 *Restitution*
12 *Cables*
13 *Residence*
15 *Recoveries*
16 *Aliens*
18 *Newcastle*
19 *Avowry*
20 *Execution of Statutes*

22 H. 8.

3 *Plumstead Marsh*
4 *Corporation*
5 *Bridges*
8 *Aliens*
1 *Egyptians*
1 *Felony*
1 *Aliens*

23 H. 8.

1 *Clergy*
2 *Prison, &c.*
3 *Attaint*
4 *Coopers*
5 *Sewers*
6 *Recognizance*
8 *Havens and Rivers*
9 *Citation*
10 *Mortmain*
11 *Clergy*

12 Passage
13 Jurors
14 Process
15 Damages and Costs
17 Wooll
18 Havens and Rivers

24 H. 8.

5 Forfeiture
8 Damages and Costs
11 Paving
12 Appeals to Rome

25 H. 8.

2 Victuall, &c.
3 Clergy
5 Worsteds
6 Felony
9 Brass
10 Sewers
11 Wild-fowl
13 Sheep
15 Books
16 Residence
18 Drapery
19 Rome
20 Rome
21 Rome

26 H. 8.

3 First-Fruits, &c.
4 VVales
5 Passage
6 VVales
7 High-wayes
8 First-fruits
9 Linne
12 Clergy
13 Treason
14 Bishops
15 Richmond
17 First-fruits

27 H. 8.

1 Towns
4 Triall
5 Chester, &c.
6 Horses, &c.
7 Wales
8 First-fruits
10 Uses
11 Clerks of the Signet
12 Drapery
13 Drapery
14 Cordwainers, &c.
16 Informers
17 Eccles. Jurisd.
18 Havens and Rivers
20 Tithes
23 Havens and Rivers
24 Franchises
26 Wales
27 Monasteries

28 H. 8.

1 Clergy
4 Linnen cloath
5 Corporation
11 Tithes
12 Palace
13 Residence
14 Weights, Wines
15 Triall
16 Dispensations

31 H. 8.

1 Partition
2 Fish, Fishers, &c.

Customs and usages
4 Havens and Rivers
5 Honors
6 Ability
10 Lords
13 Monasteries

32 H. 8.

1 Wills
2 Limitation
5 Execution
7 Tithes
9 Maintenance
13 Horses &c.
14 Ships
16 Aliens
17 Paving
18 Towns
19 Towns
20 Franchises
21 Dayes in Bank
22 First-fruits
24 Saint Johns
28 Leases
30 Repleader
32 Partition
33 Entry lawful
34 Conditions
35 Forests
36 Fines
37 Rents
38 Matrimony
40 Physicians
42 Physicians
43 Chester, &c.
46 Wards
47 First fruits

33 H. 8.

1 Counterfeit Letters
3 Drapery
4 Brass
6 Cross-Bowes, &c.
7 Brasse
9 Playes
12 Triall
13 Chester, &c. Wales
16 Norwich
17 Flax and Hemp
19 Drapery
20 Treason
21 Parliament
22 Escheators, Wards
23 Challenge, Triall
24 Justices of Assise
27 Corporation
28 Residence
29 Ability
32 Whitegate
33 Hull
36 Towns
37 Honors
38 Honors
39 Courts

34, 35 H.8.

2 Receivers
4 Bankrupts
5 Wills
8 Physicians
9 Havens and Rivers, Severn
10 York
12 Paving
13 Chester, &c.
14 Certificate of the, &c.
16 Sheriff
17 First-fruits
19 Pensions
20 Recoveries
21 Patents
22 Informers
24 Cambridg &c.
26 Wales

35 H. 8.

1 Crown
2 Treason
4 Towns
6 Jurors
9 Wapping Marsh
10 London
11 Parliament
13 Walsingham
14 Tenure
15 Cambridg, &c.
16 Wood

37 H. 8.

1 Custos Rotulorum
2 Hounslow-Heath
3 High-wayes
4 Monasteries
5 Attaint
6 Burning of Carts, &c.
8 Clergy, Indictments
9 Usury
12 Tithes
14 Scarborough
15 Wooll
16 Lancaster
19 Fines
20 Tenure
21 Union, &c. of Churches
23 Mines

Statutes of 1 E. 6.

1 Service and Sacraments
2 Bishops
4 Tenure
5 Horses, &c.
6 Norwich, Wooll
7 Discontinuance of process
8 Patents
9 Union, &c. of Churches
10 Exigent and utlawry
12 Challenge, Clergy, Dower, (Felony, Treason.
14 Monasteries

2, 3 H. 6.

1 Service and Sacraments
2 Captains
4 Sheriff
6 Fish, Fishers, &c.
8 Escheators
10 Malt
13 Tithes
14 Cross-Bows, &c.
15 Labourers, Victuall
19 Holydayes
20 First-fruits
21 Matrimony
22 Customs, &c.
24 Triall
25 County and Turn
26 White-ashes
27 Steel
28 Fines
30 Rye and Winchelsie
31 Chester, &c.
33 Clergy
34 Sheriff
37 Brass

3, 4 E. 6.

1 Custos Rotulorum
2 Drapery
3 Approvements
4 Grants
8 Sewers.
10 Books
12 Bishops

19 Calves
21 Butter

5 E. 6.

1 Service and Sacraments
3 Holydayes
4 Fighting and quarrelling
6 Drapery
8 Drapery
9 Clergy
10 Clergy
11 Treason
12 Matrimony
13 Ability
14 Forestallers, &c.
15 Cordwainers, &c.
16 Officers
19 Exchange
22 Gignils
23 upholsters
24 Norwich
25 Alehouses

7 E. 6.

1 Rectivers
3 Patents
4 First Fruits
5 Wines
7 Full
15 Durham

Statutes of 1 M.

Parl. 1. Sef. 1.

1 Felony, Treason

1 M. Parl. 1. Sef. 2.

3 Service and Sacraments
4 Deeds and Writings
3 Limitation
7 Fines
8 Sheriff
9 Physicians
10 Courts
14 union, &c. of Churches

1 M. Parl. 2.

1 Queen
5 High-wayes
7 Drapery
8 Cordwainers, &c.
11 Sewers

1, 2 P. M.

4 Egyptians
5 Victuall, &c.
7 Towns
8 Bishops
10 Treason
11 Treason
12 Distresse
13 Mainprise
14 Norwich
15 Wales

2, 3 P. M.

3 Calves
6 Purveyors
7 Fairs and Markets
8 High-wayes
9 Playes
10 Mainprise
11 Drapery
12 Drapery
13 wooll
15 universities
16 Passage

18 *Justice of Peace.*
20 *Lancaster*

4, 5 P.M.

1 *Patents*
3 *Musters*
4 *Clergy*
5 *Drapery*
7 *Jurors*
8 *Women, &c.*

Statutes of 1 Eliz.

1 *Crown*
2 *Service and Sacraments*
3 *Crown*
4 *First-fruits*
11 *Merchants*
12 *Linnen cloath*
13 *Ships*
15 *Wood*
17 *Fish, Fishers, &c.*
Not printed, *Leases*

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5 Eliz.

1 *Crown*
4 *Labourers*
5 *Ships*
7 *Wears*
9 *Perjury, witness*
10 *Felony*
11 *Treason*
12 *Corn, &c.*
13 *High-ways, &c.*
14 *Forger of false Deeds*
15 *Prophesies*
17 *Felony*
18 *Keeper of the Great Seal*
20 *Egyptians*
21 *Fish, Fishers, &c.*
22 *Cordwainers, &c.*
23 *Excommunicato Capiendo*
24 *Prison, &c.*
25 *Jurors*
26 *Informers*
27 *Durham*
28 *Service and Sacraments*

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8 Eliz.

1 *Process*
3 *Ships*
4 *Clergy*
5 *Admiralty*
6 *Drapery*
7 *Drapery*
8 *Horses*
9 *Coopers*
10 *Bows*
11 *Hats and Caps*
12 *Drapery*
16 *Sheriff*

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13 Eliz.

2 *Crown*
4 *Debt to the King*
5 *Fraudulent Conveyances*
6 *Grants*
7 *Bankrupts*
8 *usury*
9 *Sewers*
10 *Dilapidations, Leases*
11 *Ships*
12 *Spiritual Laws*
13 *Corn, &c.*
14 *Bows*
15 *Ships*
17 *Hospitals*
18 *Lee River*
20 *Leases*
21 *Ipswich, universities*

22 *Sheriff*
23 *Paving*
25 *Foreſtalles, Priſon, Wood*

14 Eliz.

3 *Money*
7 *Debt to the King*
8 *Recoveries*
9 *Jurors*
10 *Priſon*
11 *Dilapidations, Leaſes*
13 *Felony, Hexamſhire*
Not printed, *Hoſpitals*

18 Eliz.

1 *Treaſon*
2 *Patents*
3 *Baſtardy*
5 *Informers*
6 *Leaſes*
7 *Clergy*
8 *VVales*
9 *Cordwainers, &c.*
10 *High-wayes*
11 *Leaſes*
12 *Niſi prius*
13 *Wards*
14 *Jeofail*
15 *Gold, Silver, &c.*
17 *Bridges*
19 *Paving*
20 *Bridges*
21 *Towns*
25 *Hoſpitals*

23 Eliz.

1 *Crown*
3 *Error*
5 *Wood*
8 *Wax*
9 *Drapery*
10 *Feaſants and Partridges*
11 *Bridges*
12 *Paving*
13 *Plumſtead Marſh*

27 Eliz.

2 *Crown*
3 *Debt to the King*
4 *Fraudulent Conveyances*
5 *Demurrers*
6 *Jurors*
7 *Sheriff*
8 *Error*
9 *Wales*
12 *Sheriff*
13 *Robberies*
17 *Drapery*
18 *Drapery*
19 *Wood*
20 *Havens and Rivers*
21 *Havens and Rivers*
22 *Havens and Rivers*
24 *Banks*
25 *Bridges*
27 *Plumſted-Marſh*
Not printed, *Hoſpitals*

29 Eliz.

1 *Treaſon*
4 *Sheriff*
5 *Informers*
6 *Crown*

31 Eliz.

1 *Error*
2 *Fines*
3 *Exigent and outlawry*

4 *Armour*
5 *Actions popular*
6 *Election*
7 *Cottages and Inmates*
8 *Gauging*
9 *Durham*
10 *Informers*
11 *Forcible entry*
12 *Fairs and Markets*

35 Eliz.

1 *Crown*
2 *Crown*
3 *Patents*
7 *Ships*
8 *Cables*
9 *Drapery*
10 *Drapery*
11 *Clapbord*

39 Eliz.

1 *Vagabonds*
5 *Hospitals, &c.*
6 *Hospitals, &c.*
8 *Bishops*
9 *Clergy*
10 *Ships*
11 *Drapery*
13 *Fustians*
14 *Drapery*
15 *Clergy*
16 *Malt*
17 *Vagabonds*
19 *High-ways,*
20 *Drapery*
22 *Norwich*
23 *Bridges*
24 *Bridges*
25 *Robberies*

43 Eliz.

1 *Patents*
2 *Poor people*
3 *Captains, &c.*
4 *Hospitals*
5 *Corpus cum causa*
6 *Damages and Costs, Sheriff*
7 *Trespass*
8 *Executors*
9 *Leases, Ships*
10 *Drapery*
11 *Approvements*
12 *Merchants*
14 *Fuel*
15 *Chester, &c.*
16 *Bridges*

Statutes of 1 Jac.

1 *Crown*
2 *England and Scotland*
3 *Bishops*
4 *Crown*
5 *Leet*
6 *Labourers*
7 *Vagabonds*
8 *Clergy*
9 *Ale-houses*
10 *Justice and Right, &c.*
11 *Matrimony*
12 *Conjuration, &c.*
13 *Execution*
15 *Bankrupts*
16 *Passage*
17 *Hats and Caps*
18 *Hops*
19 *Spice*
20 *Painters*
21 *Brokers*
22 *Cordwainers, &c.*
23 *Ships*

25 Drapery, poor people
26 Exchequer
27 Feasants and Partridges
28 Berwick
31 Plague

3 Jac.

1 Service and Sacraments
4 Crown
5 Crown
6 Merchants
7 Attorney
8 Execution
9 Merchants
10 Prison
11 Malt
12 Fish, Fishers, &c.
13 Hunters and hunting
14 Sewers
15 Doke
16 Drapery
17 Drapery
18 Havens and Rivers
21 Players
22 Paving
23 Bridges
24 Bridges

4 Jac.

1 England and Scotland
2 Drapery
3 Damages and Costs
4 Ale-houses
5 Ale-houses
6 Cordwainers, &c.
8 Marshes and Fens
9 Merchants
10 Southampton
11 Husbandry
12 Havens and Rivers
13 Marshes and Fens

7 Jac.

1 England and Scotland
2 Crown
3 Poor people
4 Bastardy, Vagabonds
5 Evidence
6 Crown
7 Drapery
8 Calves
9 Chelsey
10 Ale-houses
11 Feasants and Partridges
12 Debt
13 Hunters and hunting
14 Horners
15 Debt to the King
16 Drapery
18 Husbandry
20 Marshes and Fens
21 Copyholds

21 Jac.

2 Limitation
3 Monopolies
4 Actions popular
5 Sheriff
6 Clergy
7 Ale-houses
8 Corpus cum causa, &c.
12 Evidence
13 Feofail
14 Intrusion
15 Forcible Entry
16 Damages and Costs, Limitation, Trespass
17 Usury
18 Drapery
19 Bankrupts
20 Swearing and Cursing
21 Victuall, &c.
22 Butter

23 Corpus cum causa
24 Execution
25 Patents
26 Felony
27 Bastardy
28 Horses, &c.
29 Patents
32 Passage
35 Pardon

Statutes of 1 Car.

1 Holy-dayes
2 Patents
3 Alienation without licence
4 Ale-houses

3 Car.

1 Holydayes
2 Crown
3 Ale-houses
4 Bastardy, Corn, Poor people

16, 17 Car.

1 Parliament
2 War
3 War
4 War
5 War
6 Dayes in Bank
7 Parliament
9 War
10 Courts
11 Crown
13 War
14 Taxes
15 Courts
16 Forests
17 England and Scotland
18 England and Scotland
19 Clerk of the Market
20 Knights
21 Gun-powder
24 Captives
27 Ability
30 Ireland
33 Ireland
34 Ireland
35 Ireland
37 Ireland

A TABLE

A TABLE, shewing the beginning of every Kings Raign from the *Conqueſt*, together with the Year of *Chriſt*, anſwering to every year of each Kings Raign, the years beginning at the 25th of *March*.

William *the* Conquerour *began his Raign the* 15. *of* Octob. 1066. *and therefore had Raigned one year compleat,* Oct. 15. 1067.

An. Reg.	*An. Dom.*
1	1067
2	1068
3	1069
4	1070
5	1071
6	1072
7	1073
8	1074
9	1075
10	1076
11	1077
12	1078
13	1079
14	1080
15	1081
16	1082
17	1083
18	1084
19	1085
20	1086

10 *Moneths,* 21 *Dayes.*

His Raign ended the 9*th of* Sept. 1087.

William Rufus *began his Raign* September 9*th.* 1087.

An. Reg.	*An. Dom.*
1	1088
2	1089
3	1090
4	1091
5	1092
6	1093
7	1094
8	1095

9	1096
10	1097
11	1098
12	1099

11 *Moneths*, 18 *Days*.

Hen. 1. Aug. 1. 1100.

An. Reg.	*An. Dom.*
1	1101
2	1102
3	1103
4	1104
5	1105
6	1106
7	1107
8	1108
9	1109
10	1110
11	1111
12	1112
13	1113
14	1114
15	1115
16	1116
17	1117
18	1118
19	1119
20	1120
21	1121
22	1122
23	1123
24	1124
25	1125
26	1126
27	1127
28	1128
29	1129
30	1130
31	1131
32	1132
33	1133
34	1134
35	1135

4 *Moneths*, 12 *Days*

Steph. Decemb. 2. 1135.

An. Reg.	*An. Dom.*
1	1136
2	1137
3	1138
4	1139
5	1140
6	1141
7	1142
8	1143
9	1144
10	1145
11	1146
12	1147
13	1148
14	1149
15	1150
16	1151
17	1152
18	1153

11 *Moneths*, 20 *Days*.

Hen. 2.

Hen. 2. Oct. 25. 1154.

An. Reg.	An. Dom.
1	1155
2	1156
3	1157
4	1158
5	1159
6	1160
7	1161
8	1162
9	1163
10	1164
11	1165
12	1166
13	1167
14	1168
15	1169
16	1170
17	1171
18	1172
19	1173
20	1174
21	1175
22	1176
23	1177
24	1178
25	1179
26	1180
27	1181
28	1182
29	1183
30	1184
31	1185
32	1186
33	1187
34	1188

9 Moneths, 5 Days.

R. 1. July 9. 1189.

An. Reg.	An. Dom.
1	1190
2	1191
3	1192
4	1193
5	1194
6	1195
7	1196
8	1197
9	1198

9 Moneths, 19 Days

John, April 6. 1199.

An. Reg.	An. Dom.
1	1200
2	1201
3	1202
4	1203
5	1204
6	1205
7	1206
8	1207
9	1208
10	1209
11	1210
12	1211
13	1212

14

14	1213
15	1214
16	1215
17	1216

7 *Moneths*, 0 *Days*.

Hen. 3. Oct. 19. 1216.

An. Reg.	*An. Dom.*
1	1217
2	1218
3	1219
4	1220
5	1221
6	1222
7	1223
8	1224
9	1225
10	1226
11	1227
12	1228
13	1229
14	1230
15	1231
16	1232
17	1233
18	1234
19	1235
20	1236
21	1237
22	1238
23	1239
24	1240
25	1241
26	1242
27	1243
28	1244
29	1245
30	1246
31	1247
32	1248
33	1249
34	1250
35	1251
36	1252
37	1253
38	1254
39	1255
40	1256
41	1257
42	1258
43	1259
44	1260
45	1261
46	1262
47	1263
48	1264
49	1265
50	1266
51	1267
52	1268
53	1269
54	1270
55	1271
56	1272

1 *Moneth*, 0 *Dayes*.

Edw.

Edw.1. Nov.16. 1272.

An.Reg.	*An.Dom.*
1	1273
2	1274
3	1275
4	1276
5	1277
6	1278
7	1279
8	1280
9	1281
10	1282
11	1283
12	1284
13	1285
14	1286
15	1287
16	1288
17	1289
18	1290
19	1291
20	1292
21	1293
22	1294
23	1295
24	1296
25	1297
26	1298
27	1299
28	1300
29	1301
30	1302
31	1303
32	1304
33	1305
34	1306

8 *Moneths*, 9 *Days*.

Edw.2. July 7. 1307.

An.Reg.	*An.Dom.*
1	1308
2	1309
3	1310
4	1311
5	1312
6	1313
7	1314
8	1315
9	1316
10	1317
11	1318
12	1319
13	1320
14	1321
15	1322
16	1323
17	1324
18	1325
19	1326

7 *Moneths*, 9 *Days*.

Edw.3. Jan.25. 1326.

An.Reg.	*An.Dom.*
1	1327
2	1328
3	1329

4	1330
5	1331
6	1332
7	1333
8	1334
9	1335
10	1336
11	1337
12	1338
13	1339
14	1340
15	1341
16	1342
17	1343
18	1344
19	1345
20	1346
21	1347
22	1348
23	1349
24	1350
25	1351
26	1352
27	1353
28	1354
29	1355
30	1356
31	1357
32	1358
33	1359
34	1360
35	1361
36	1362
37	1363
38	1364
39	1365
40	1366
41	1367
42	1368
43	1369
44	1370
45.	1371
46	1372
47	1373
48	1374
49	1375
50	1376

5 Moneths, 7 Dayes.

R. 2. Iune 21. 1377.

An. Reg.	*An. Dom.*
1	1378
2	1379
3	1380
4	1381
5	1382
6	1383
7	1384
8	1385
9	1386
10	1387
11	1388
12	1389
13	1390
14	1391
15	1392
16	1393
17	1394
18	1395

19	1396
20	1397
21	1398
22	1399

3 *Moneths*, 14 *Days*.

Hen.4. Sept.29.1399.

An.Reg.	*An.Dom.*
1	1400
2	1401
3	1402
4	1403
5	1404
6	1405
7	1406
8	1407
9	1408
10	1409
11	1410
12	1411
13	1412

6 *Moneths*, 3 *Days*.

H.5. March 20. 1412.

An.Reg.	*An.Dom.*
1	1413
2	1414
3	1415
4	1416
5	1417
6	1418
7	1419
8	1420
9	1421

5 *Moneth*, 24 *Dayes*.

Hen.6. Aug.31. 1422.

An.Reg.	*An.Dom.*
1	1423
2	1424
3	1425
4	1426
5	1427
6	1428
7	1429
8	1430
9	1431
10	1432
11	1433
12	1434
13	1435
14	1436
15	1437
16	1438
17	1439
18	1440
19	1441
20	1442
21	1443
22	1444
23	1445
24	1446
25	1447
26	1448
27	1449
28	1450

29	1451
30	1452
31	1453
32	1454
33	1455
34	1456
35	1457
36	1458
37	1459
38	1460

6 *Moneths*, 16 *Days.*

Edw.4. March 4. 1460.

An.Reg.	*An.Dom.*
1	1461
2	1462
3	1463
4	1464
5	1465
6	1466
7	1467
8	1468
9	1469
10	1470
11	1471
12	1472
13	1473
14	1474
15	1475
16	1476
17	1477
18	1478
19	1479
20	1480
21	1481
22	1482

1 *Moneth*, 8 *Dayes.*

R. 3. June 22. 1483.

An.Reg.	*An.Dom.*
1	1484
2	1485

2 *Moneths*, 5 *Days.*

Hen.7. Aug.22. 1485.

An.Reg.	*An.Dom.*
1	1486
2	1487
3	1488
4	1489
5	1490
6	1491
7	1492
8	1493
9	1494
10	1495
11	1496
12	1497
13	1498
14	1499
15	1500
16	1501
17	1502
18	1503
19	1504
20	1505

21	1506
22	1507
23	1508

8 *Moneths*, 19 *Days*.

Hen.8. April 22. 1509.

An.Reg.	*An.Dom.*
1	1510
2	1511
3	1512
4	1513
5	1514
6	1515
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31	1540
32	1541
33	1542
34	1543
35	1544
36	1545
37	1546

10 *Moneths*, 1 *Day*.

Edw.6. Jan.28. 1546.

An. Reg.	*An.Dom.*
1	1547
2	1548
3	1549
4	1550
5	1551
6	1552

5 *Moneths*, 19 *Days*.

Mar. July 6. 1553.

An.Reg.	*An.Dom.*
1	1554
2	1555
3	1556
4	1557
5	1558

4 *Moneths*, 22 *Dayes*.

Eliz.

Eliz. Nov. 17. 1558.

An. Reg.	*An. Dom.*
1	1459
2	1560
3	1561
4	1562
5	1563
6	1564
7	1565
8	1566
9	1567
10	1568
11	1569
12	1570
13	1571
14	1572
15	1573
16	1574
17	1575
18	1576
19	1577
20	1578
21	1579
22	1580
23	1581
24	1582
25	1583
26	1584
27	1585
28	1586
29	1587
30	1588
31	1589
32	1590
33	1591
34	1592
35	1593
36	1594
37	1595
38	1596
39	1597
40	1598
41	1599
42	1600
43	1601
44	1602

4 Moneths, 15 Days.

Jac. March 24. 1602.

An. Reg.	*An. Dom.*
1	1603
2	1604
3	1605
4	1606
5	1607
6	1608
7	1609
8	1610
9	1611
10	1612
11	1613
12	1614
13	1615
14	1616
15	1617

16	1618	7	1631
17	1619	8	1632
18	1620	9	1633
19	1621	10	1634
20	1622	11	1635
21	1623	12	1636
22	1624	13	1637
0 *Moneths*, 3 *Days*.		14	1638
		15	1639
Carol. 1. March 27. 1625.		16	1640
		17	1641
An. Reg.	*An. Dom.*	18	1642
1	1625	19	1643
2	1626	20	1644
3	1627	21	1645
4	1628	22	1646
5	1629	23	1647
6	1630	24	1648

King *Charles* died the 30 of *Jan.* 1648. having Raigned 11 Moneths above 23 Years, according to 28 daies *per mensem*.

The third Table.

Carol. 2. Jan. 30. 1648.

AN. Reg.	An. Dom.
1	1649
2	1650
3	1651
4	1652
5	1653
6	1654
7	1655
8	1656
9	1657
10	1658
11	1659
12	1660
13	1661
14	1662
15	1663
16	1664
17	1665
18	1666

FINIS.

Qr. & C. A.
9/28/08

Break in paging 353-68, 625-2
659-676. Matter complete,